

**RECLAMATION DISTRICT NO. 828
AGENDA FOR
BOARD OF TRUSTEES
8:30 A.M. OCTOBER 15, 2020**

Coronavirus COVID-19 Notice

In accordance with the Governor's Executive Order N-33-20, and for the period in which the Order remains in effect, Reclamation District 828 Board Chambers will be closed to the public.

To accommodate the public 828 this period of time that the Board's Chambers are closed to the public, Reclamation District 828 Board of Trustees has arranged for members of the public to observe and comment at the meeting telephonically.

TO ATTEND BY TELECONFERENCE: Toll-
Free Dial-In Number: (877) 778-1806
CONFERENCE ID 891949
Once connected, we request you kindly mute your phone

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 July 15, 2020 meeting.
4. Financial Report.
 - a. Amend 2020-2021 Budget
5. Engineers' Report; discussion, possible action, and request for direction.
6. Resolution 2020-03. Adopt Resolution 2020-03 Approving and Authorizing Execution of Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2020-2021
7. Discussion and Possible Action to Amend the District's Policy for Reimbursement for Travel and Expenses and Compensation for Meeting Attendance for the Board of Trustees
8. Correspondence and meeting attendance reports.
9. District Calendar
10. Approval of bills to be paid.
11. 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, 3121 West March Lane, Stockton, California during normal business hours.

**AGENDA PACKET
RECLAMATION DISTRICT 828
October 15, 2020**

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

ITEM 3

**Minutes of Meeting of
Reclamation District 828
Held on July 15, 2020**

The meeting of the Board of Trustees of Reclamation District 828 was held at 9:00 a.m. on July 15, 2020 via teleconference.

Item No. 1: Call to Order. The meeting was called to order at 9:00 a.m. Present were President Bill Mendelson, Trustee Deby Provost, and Trustee Paul Marsh. Also present was Daniel J. Schroeder, District Secretary, and Chris Neudeck, District Engineer, Andy Pinasco, Dominick Gulli, and Chris Elias.

Item No. 2: Public Comment. Mr. Gulli commented on the Smith Canal Closure Structure funding. Mr. Elias commented that the construction of the Smith Canal Closure Structure would commence today, July 15, 2020, and reported on community outreach efforts being pursued by San Joaquin Area Flood Control Agency related to the Smith Canal Closure Structure.

Item No. 3: Approval of Minutes. Mr. Schroeder reviewed the draft minutes of the January 16, 2020, meeting with the Trustees. The minutes of the January 16, 2020, meeting, were approved unanimously by the Trustees present on a motion by Trustee Marsh, seconded by Trustee Provost.

Item No. 4: Financial Report. Mr. Schroeder reviewed the written financial report provided to the Trustees at the meeting. The financial report was accepted unanimously by the Trustees present on a motion by Trustee Marsh, seconded by Trustee Provost.

(a) Adopt 2020-2021 Budget. Mr. Pinasco provided a review of the proposed 2020-2021 District Budget and answered questions from the Trustees. The 2020-2021 District Budget was approved as proposed unanimously by the Trustees present on a motion by Trustee Provost, seconded by Trustee Marsh.

(b) Adopt Resolution 2020-01 Certifying Assessments to be Collected and Establishing a Procedure for Collection. Mr. Schroeder reviewed the purpose of the resolution with the Trustees. Resolution 2020-01 was adopted unanimously by the Trustees present on a motion by President Mendelson, seconded by Trustee Provost.

Item No. 5: Engineers' Report; request for direction. Mr. Neudeck provided a written and oral report to the Trustees. He reported on preparation for vegetation control and plans for minor levee erosion repairs. He also reported on the storage container and flood fight supplies to be purchased with Delta Grant II funds. He also reported that the previous year's Co-Op Agreement with CalTrans expired and that staff is currently waiting for CalTrans to approve the terms of the new agreement. Once approved, design work for the repairs to the embankment under Highway 5 can commence.

Item No. 6: CEQA Exemption. Adopt Resolution 2020-02 Authorizing and Directing Filing of Notice of Exemption for Routine Maintenance for Fiscal Year 2020-2021. Mr. Schroeder reported on the purpose of the resolution and the exemption. Resolution 2020-02 was adopted unanimously by the Trustees present on a motion by President Mendelson, seconded by Trustee Provost.

Item No. 7: Correspondence. The Trustees gave direction to staff to bring back a policy providing a procedure for Trustees to be compensated for attendance of other agency meetings and educational conferences/classes beneficial to the District.

Item No. 8: Calendar. Mr. Schroeder reviewed the upcoming calendar events with the Trustees.

Item No. 9: Approval of Bills. Mr. Schroeder reported on the outstanding bills that had been received and the status of the District's accounts. The Trustees unanimously approved payment of the attached bills on a motion by Trustee Marsh, seconded by Trustee Provost.

Item No. 10: Adjournment. The meeting was unanimously adjourned at 9:42 a.m.

Respectfully submitted,

Daniel J. Schroeder, District Secretary

RD 828 BILLS TO BE PAID

July 15, 2020

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	RATIFY	WARRANT #
Kjedlsen, Sinnock & Neudeck, Inc.	6/5/2020	27927	\$315.00			
	6/5/2020	27928	\$2,357.50			
	6/5/2020	27929	\$22.50			
				\$2,695.00		1370
Neumiller & Beardslee	5/15/2020	308328	\$594.00			
	6/17/2020	309385	\$673.00			
				\$1,267.00		1371
Trustee Stipend - 07/15/2020 Regular Board Meeting	Deby Provost		\$50.00	\$50.00		1372
Trustee Stipend - 07/15/2020 Regular Board Meeting	Bill Mendelson		\$50.00	\$50.00		1373
Trustee Stipend - 01/24/2020 Meeting to Sign County Permits			\$50.00	\$50.00		1373
Trustee Stipend - 07/15/2020 Regular Board Meeting	Paul Marsh		\$50.00	\$50.00		1374

TOTAL: \$4,162.00

NOTES:

Fund Balance as of May 31, 2020	\$541,338.40
Less Submitted Bills for Payment:	<u>\$4,162.00</u>
Total:	\$537,176.40

RD 828 BILLS TO BE PAID

May 15, 2020

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	RATIFY	WARRANT #
Dohrmann Insurance Co.	4/6/2020	10794	\$3,776.00			
	4/6/2020	10795	\$567.00			
				\$4,343.00	x	1366
California Association of Mutual Water Agencies (membership dues)	1/15/2020	1226	\$100.00			
				\$100.00	x	1367
Kjedlsen, Sinnock & Neudeck, Inc.	2/6/2020	27031	\$1,658.70			
	2/6/2020	27032	\$663.75			
	2/6/2020	27033	\$1,425.00			
	2/6/2020	27034	\$1,060.50			
	3/16/2020	27345	\$22.50			
	3/16/2020	27346	\$603.75			
	3/16/2020	27347	\$4,646.25			
	3/16/2020	27348	\$1,094.75			
	4/17/2020	27579	\$810.00			
	4/17/2020	27580	\$2,501.25			
	5/12/2020	27750	\$450.00			
	5/12/2020	27751	\$3,952.50			
					\$18,888.95	x
Neumiller & Beardslee	2/18/2020	305443	\$2,368.50			
	3/20/2020	306227	\$352.11			
	4/16/2020	307346	\$552.00			
				\$3,272.61	x	1369

TOTAL: \$26,604.56

NOTES:

Fund Balance as of April 30, 2020	\$562,478.84
Less Submitted Bills for Payment:	<u>\$26,604.56</u>
Total:	\$535,874.28

ITEM 4

RECLAMATION DISTRICT NO. 828
 SEPTEMBER 2020 FINANCIAL REPORT
 25% FISCAL YEAR 2020-2021

		BUDGET FY 2020-2021	Expended PTD	Expended YTD	% YTD
<u>EXPENSES</u>					
GENERAL FUND					
Administrative					
G1	Annual Audit	\$3,200.00	\$0.00	\$0.00	0%
G2	Public Communication and Noticing	200.00	\$0.00	\$0.00	0%
G3	Election Expense	0.00	\$0.00	\$0.00	0%
G4	Trustee Fees	600.00	\$150.00	\$150.00	25%
G5	County Assessment Administration	650.00	\$0.00	\$0.00	0%
	SUBTOTAL	\$4,650.00	\$150.00	\$150.00	3%
Consultants					
G14	Engineering				
G14A	General Engineering	\$7,500.00	\$1,083.27	\$1,083.27	14%
G14C	Levee Subventions	\$7,500.00	\$2,416.90	\$2,416.90	0%
G14D	Levee Maintenance (Engineering)	\$7,500.00	\$969.50	\$969.50	12.9%
G14E	DWR 5 Year Plan	\$35,000.00	\$14,077.50	\$14,077.50	40.2%
G15	General Legal	25,000.00	\$2,821.85	\$2,821.85	11%
	SUBTOTAL	\$82,500.00	\$21,369.02	\$21,369.02	26%
Other					
G18	Insurance	\$4,300.00	\$0.00	\$0.00	0%
G19	Reserve Contingency	0.00	\$0.00	\$0.00	0%
G20	Emergency Equipment & Supplies	22,000.00	\$0.00	\$0.00	0%
	SUBTOTAL	\$26,300.00	\$0.00	\$0.00	0%
	TOTAL GENERAL FUND	\$113,450.00	\$21,519.02	\$21,519.02	19%
RECURRING EXPENSES					
R1	Levee				
R1A	General Maintenance	\$10,000.00	\$0.00	\$0.00	0%
R1B	Riprap and Levee Repair	25,000.00	\$0.00	\$0.00	0%
R1C	Weed Control	25,000.00	\$1,300.00	\$1,300.00	5%
R1D	Animal Damage Control	0.00	\$0.00	\$0.00	0%
	SUBTOTAL	\$60,000.00	\$1,300.00	\$1,300.00	2%
	TOTAL RECURRING EXPENSES	\$60,000.00	\$1,300.00	\$1,300.00	2%
	TOTAL EXPENSES	\$173,450.00	\$22,819.02	\$22,819.02	13%

<u>INCOME</u>		BUDGET FY 2019-2020	Income PTD	Income YTD	% YTD
Assessment - Existing		\$48,641.60	\$2.40	\$2.40	0%
Interest		4,000.00	\$1,794.00	\$1,794.00	45%
Property Tax		\$0.00	\$0.00	\$0.00	0%
DWR 5 Year Plan Reimbursement		\$35,000.00	\$0.00	\$0.00	0%
Subvention Reimbursement		\$33,500.00	\$0.00	\$0.00	0%
Delta Grant II - Flood Fight Supplies		\$14,500.00	\$3,328.87	\$3,328.87	0%
	TOTAL, GROSS INCOME	\$135,641.60	\$5,125.27	\$5,125.27	4%
	NET INCOME (LOSS)	(\$37,808.40)	(\$17,693.75)	(\$17,693.75)	

Fund Balance

Fund Balance as of July 1, 2020	\$	551,519.64
Revenues (YTD), as of October 15, 2020	\$	5,125.27
Expenses (YTD), as of October 15, 2020	\$	22,819.02
Total Cash as of October 15, 2020	\$	529,663.89

ITEM 4.a

**RECLAMATION DISTRICT 828
PROPOSED BUDGET AMENDMENT FOR FISCAL YEAR 2020-2021**

EXPENSES

GENERAL FUND		2020-2021	
	Administrative		
G1	Annual Audit	\$3,200.00	
G2	Public Communication and Noticing	200.00	
G3	Election Expense	0.00	
G4	Trustee Fees	600.00	
G5	County Assessment Administration	650.00	
	SUBTOTAL	\$4,650.00	
	Consultants		
G14	Engineering		
G14A	General Engineering	7,500.00	
G14C	Levee Subventions Management	7,500.00	
G14D	Levee Maintenance (Engineering)	7,500.00	
G14E	DWR 5 Year Plan	35,000.00	
G15	General Legal	25,000.00	
	SUBTOTAL	\$82,500.00	
	Other		
G18	Insurance	\$4,300.00	
G19	Reserve Contingency	0.00	
G20	Emergency Equipment & Supplies	22,000.00	
	SUBTOTAL	\$26,300.00	
	TOTAL GENERAL FUND	\$113,450.00	
	RECURRING EXPENSES		
R1	Levee		
R1A	General Maintenance	\$10,000.00	
R1B	Riprap and Levee Repair	45,000.00	increased from \$25,000
R1C	Weed Control	5,000.00	decreased from \$25,000
R1D	Animal Damage Control	0.00	
	SUBTOTAL	\$60,000.00	
	TOTAL RECURRING EXPENSES	\$60,000.00	
	TOTAL EXPENSES	\$173,450.00	
	<u>INCOME</u>		
	Assessment - Existing	\$48,641.60	
	Interest	4,000.00	
	Property Tax	0.00	
	DWR 5 Year Plan Reimbursement	35,000.00	
	Subvention Reimbursement	33,500.00	
	Delta Grant II - Flood Fight Supplies	14,500.00	
	TOTAL, GROSS INCOME	\$135,641.60	
	NET INCOME (LOSS)	(\$37,808.40)	

ITEM 5

**RECLAMATION DISTRICT NO. 828
WEBER TRACT
BOARD OF TRUSTEES MEETING
THURSDAY, OCTOBER 15, 2020
8:30 AM
ENGINEER'S REPORT**

I. AB 360 LEVEE SUBVENTIONS PROGRAM

- a. Seek authorization to transfer \$20,000.00 from Weed Control budget item to Riprap and Levee Repair budget item in order to address excess erosion near the City of Stockton Buena Vista Pump Station.

EXHIBIT A: KSN Inc. Photo Summary of erosion site for planned repair and quote from Dino & Sons Ditching Service.

- b. Update on planned maintenance work budget review summary weed control and general maintenance.

EXHIBIT B: KSN Inc. Budget review and breakdown of maintenance work.

II. CALTRANS LEVEE EROSION REPAIR BENEATH INTERSTATE 5 BRIDGE

- a. Caltrans seeking to take on project in house without the aid of the District.

Exhibit A

Dino and Son Ditching Service Inc.

5250 Claremont Avenue, Ste 122
Stockton, CA 95207
(209) 471-0370
dinoandsonditching@yahoo.com

Estimate

ADDRESS

Reclamation District 828
P.O. Box 20
Stockton, Ca. 95201

ESTIMATE # 1041

DATE 10/12/2020

EXPIRATION DATE 11/12/2020

ACTIVITY	QTY	RATE	AMOUNT
Mobilization Mobilization and demobilization of Bobcat E45 excavator and Bobcat T770 skid steer	4	135.00	540.00
Levee clean-up Remove and save fence. Clear, cut trees, dig out three tree stumps, cut and remove fallen palm tree stump from water side toe, pick up/haul off trash and make access to slope and place rip-rap on levee water side slope behind city of Stockton's Buena Vista Ave pump station with a Bobcat E45 excavator @\$200 per hour chipper truck with driver and/or laborer @ \$195 per hour, two laborers @\$100.00 per hour, bc1000 chipper @\$85 per hour, miscellaneous hand tools and trimmers @\$6 per hour, one pole saw @\$12 per hour, one restroom on a trailer @\$1.50 per hour and two chain saws @\$8 a piece per hour.	13	715.50	9,301.50
Levee work Slope and place two loads of 6" minus and 8-10 loads of 18" minus with one portable restroom on a trailer @\$1.50 per hour, Bobcat E45 excavator @\$200 per hour, Bobcat T770 skid steer @\$200 per hour and/or with two laborers @\$100 per laborer per hour.	24	601.50	14,436.00
Materials 6" minus bedding rock material 2 loads approximately 50 tons and trucking	50	33.50	1,675.00
Materials 18" minus rip-rap material 8-10 loads approximately 200-250 tons and trucking	36.35	250.00	9,087.50
Levee work Remove old chain link fencing on the west	8	420.00	3,360.00

ACTIVITY	QTY	RATE	AMOUNT
side of slope repair. Weld and repair any exciting support poles that might be damaged, add and weld a 2" pole in the center and the bottom for support. Cut and weld steel 3/4" #9 Galvanized expanded metal in place of the chain link fencing with two laborers @\$100 per laborer per hour and one welder/welding truck @\$220 per hour.			
Materials 2"x 84' schedule 40 galvanized steel pipe	84	3.32	278.88
Materials (10) 4'x 8' steel 3/4" #9 galvanized expanded metal sheets	10	180.60	1,806.00
Materials	1	0.00	0.00
TOTAL			\$40,484.88

Accepted By

Accepted Date













Handwritten markings on the barrel, possibly a logo or symbol.

Handwritten text on the barrel, possibly a name or brand.



Exhibit B

Exhibit B

20/21 Maintenance Budget – Original

RECURRING EXPENSES		
R1	Levee	
R1A	General Maintenance	\$10,000.00
R1B	Riprap and Levee Repair	\$25,000.00
R1C	Weed Control	\$25,000.00
R1D	Animal Damage Control	\$0.00
	SUBTOTAL	\$60,000.00

20/21 Maintenance Budget – Authorized Change

RECURRING EXPENSES		
R1	Levee	
R1A	General Maintenance – See Note 1 Below	\$10,000.00
R1B	Riprap and Levee Repair	\$45,000.00
R1C	Weed Control – See Note 2 Below	\$5,000.00
R1D	Animal Damage Control	\$0.00
	SUBTOTAL	\$60,000.00

Note 1

General Maintenance planning includes maintenance and placement of no trespassing and no dumping signage as well as replacement of fence extension at Buena Vista Pump Station. Would also include any needed un-planned repairs to District Levee

Note 2

Weed Control planning includes maintenance spraying of arundo to control growth.

ITEM 6

**RECLAMATION DISTRICT 828
RESOLUTION 2020-03**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF
DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM WORK AGREEMENT
FISCAL YEAR 2020-2021**

WHEREAS, the Board of Trustees ("Board") of Reclamation District 828 ("District"), has reviewed, and desires to enter into, that certain Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2020-2021 ("Agreement"), between the District and the Reclamation Board of the State of California ("Reclamation Board");

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Agreement is approved, and the President of the Board is authorized and directed to execute the Agreement, and cause it to be presented to the Reclamation Board with a certified copy of this Resolution.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 828, at a regular meeting thereof, held on October 15, 2020, 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 15th day of October, 2020.

Dated: _____, 2020

SECRETARY, Reclamation District 828

**Delta Levee Maintenance Subventions Program
WORK AGREEMENT
Fiscal Year 2020-2021**

This Agreement is entered into as of the _____ day of _____, by and between **The Central Valley Flood Protection Board** of the State of California, hereinafter referred to as the "Board" and **Reclamation District No. 828**, a political subdivision of the State of California, hereinafter referred to as "Local Agency."

WHEREAS, Part 9, commencing with Section 12980 of Division 6 of the California Water Code establishes a program for State financial assistance to local agencies responsible for maintenance of nonproject and certain project levees in the Sacramento-San Joaquin Delta; and

WHEREAS, The Central Valley Flood Protection Board approved the Delta Levee Maintenance Subventions Program 2016 Guidelines, dated August 26, 2016; and

WHEREAS, Part 9 requires local agencies to enter into an agreement with the Board to perform maintenance and improvement work as approved by the Board in accordance with administrative provisions and criteria adopted by the Board; and

WHEREAS, the Local Agency has submitted and the Board has approved levee maintenance and improvement plans in accordance with those provisions and criteria; and

WHEREAS, on November 24, 1997, as required by California Water Code Sections 12307 and 78543, the Board, the Department of Water Resources, hereinafter referred to as "DWR" or "Department," the Department of Fish and Game, now known as the California Department of Fish and Wildlife (CDFW), and The Resources Agency executed Amendment No. 1 to the Memorandum of Understanding, requiring projects or plans to be consistent with a net long-term habitat improvement program in the delta; and

WHEREAS, in November, 1999, CDFW issued the "Fish and Wildlife Enhancement Guidance Document" to ensure net long-term habitat improvement; and

WHEREAS California Water Code Section 12987 provides that CDFW ensures expenditures must be consistent with a net long-term habitat improvement program and have a net benefit for aquatic species in the Delta; and

WHEREAS, the Local Agency, DWR, and CDFW agree that the Local Agency has completed or is in the process of completing all of the requirements of California Water Code Sections 12987 and 79050 in its previous agreements with the Board.

6. When reference is made herein to criteria or administrative procedures adopted by the Board, it is intended to include all addenda and supplements to said criteria or procedures.

7. Upon completion of the work agreed to be funded, the Local Agency shall submit a final claim completion report and notify DWR and CDFW for a joint inspection of the work. The Local Agency shall cooperate in the conduct of all inspections, including inspections by DWR, pursuant to California Water Code Section 12989, to monitor and ascertain compliance with and progress toward meeting the standards in the State's Flood Hazard Mitigation Plan for the Sacramento-San Joaquin Delta (DWR Office of Emergency Services, dated September 15, 1983), as updated or amended. To be eligible for reimbursement, the work shall be completed in the fiscal year for which application was made and approved.

8. In accordance with California Water Code § 9140, if Local Agency is responsible for the operation and maintenance of a project levee, or if Local Agency operates and maintains a nonproject levee that also benefits land within the boundaries of the area benefited by the project levee, Local Agency shall prepare and submit to DWR, on or before September 30th of each year, a report of information for inclusion in periodic flood management reports prepared by DWR relating to the project levee. The information shall include all of the following:

- a. Information known to the Local Agency that is relevant to the condition of the project levee.
- b. Information identifying known conditions that might impair or compromise the level of flood protection provided by the project levee.
- c. A summary of the maintenance performed by the Local Agency during the previous fiscal year.
- d. A statement of work and estimated cost for operation and maintenance of the project levee for the current fiscal year, as approved by the Local Agency.
- e. Any other readily available information contained in the records of the Local Agency relevant to the condition or performance of the project levee, as determined by the Board or DWR.

9. In accordance with California Water Code § 9650, if Local Agency receives funding from the State to upgrade a project levee that protects an area in which more than 1,000 people reside, the Local Agency responsible for the project levee and any city or county, including charter cities or counties, protected by the project levee shall enter into an agreement to adopt a safety plan within two years. The safety plan shall be integrated into any other Local Agency emergency plan and shall be coordinated with the state emergency plan. The local entity responsible for the operation and maintenance of the project levee shall submit a copy of the safety plan to DWR and the Central Valley Flood Protection Board. No advances or reimbursements shall be made by the State for a levee covered by this paragraph until it receives the Agreement from all necessary entities. The safety plan shall include all of the following elements:

Board and DWR shall have full and free access at all reasonable times to these books and records with the right at any time during office hours to make copies thereof. The Board, DWR, and the California State Controller's Office shall have the right to conduct audits, from time to time, of the Local Agency's expenditures for levee maintenance and improvement, the purpose of such audits being to assure that subvention funds are being properly used, that payments are not being made under other assistance programs for the same work, and that the Local Agency is seeking the most reasonable terms in its use of State funds. The Local Agency shall cooperate fully in any such audit.

13. The Local Agency shall be eligible for reimbursement for work satisfactorily completed in accordance with the following:

- a. Rural Levees – an area that is not urban.
 - 1.) No costs shall be reimbursed until the local agency has spent an average of \$1,000 per levee mile for all of its rural nonproject and eligible project levees;
 - 2.) The local agency shall be reimbursed up to 75 percent of eligible costs incurred in excess of \$1,000 per levee mile for all of its nonproject and eligible project levees.
- b. Urban Levees – an area in which 10 percent or more of the land area within the project area is used for residential use.
 - 1.) No costs shall be reimbursed until the local agency has spent an average of \$2,500 per levee mile for all of its nonproject and eligible project levees;
 - 2.) The local agency shall be reimbursed up to 75 percent of eligible costs incurred in excess of \$2,500 per levee mile for all of its nonproject and eligible project levees.
- c. If, in any year, the total eligible costs incurred exceed the State funds available, the Board shall apportion the funds among those levees or levee segments identified by DWR as being most critical and beneficial, considering the needs of flood control, water quality, recreation, navigation, habitat improvements, and fish and wildlife.
- d. The Local Agency acknowledges that pursuant to California Water Code Section 12986, DWR shall require the Local Agency to provide information to DWR that may include, but not be limited to, a detailed engineer's report prepared pursuant to subdivision (b) of Section 4 of Article XIID of the California Constitution, audited financial statement, or an assessment commissioner's report.

1. Covered Actions: <http://deltacouncil.ca.gov/covered-actions>
2. Certification of Consistency:
http://coveredactions.deltacouncil.ca.gov/certification_process.aspx

18. If DWR finds that work under this Agreement has not been satisfactorily performed, or where advances exceed actual reimbursable costs, the Local Agency shall promptly remit to DWR all amounts advanced in excess of reimbursable costs (California Water Code Section 12987). In the event that Local Agency has an outstanding obligation with DWR pursuant to this paragraph, DWR may seek such reimbursement from the Local Agency by any appropriate means including but not limited to, collecting any amount owing to the Local Agency from DWR or the Board under the Delta Flood Protection Program.

19. The Local Agency shall indemnify and hold and save the State of California, the Board, DWR, and all other agencies or departments of the State and their employees, free from any and all liability for any claims and damages (including inverse condemnation) that may arise out of this Agreement, including but not limited to, those arising from the planning, design, construction, maintenance and operation of levee rehabilitation measures for this Project and any breach of the terms of this Agreement. Local Agency shall require its contractors to name the State, its officers, agents and employees as additional insured's on their liability insurance for activities undertaken pursuant to this Agreement. Local Agency shall also require its contractors to have applicable performance and payment bonding in place before commencing work. The Local Agency's indemnity and related obligations under this Agreement also extend to any similar Department indemnity and related obligations with the U.S. Army Corps of Engineers for emergency assistance, response and rehabilitation of Local Agency's facilities and the Local Agency hereby expressly assumes those obligations.

20. No waiver of any breach of this Agreement shall be held to be a waiver of any other or subsequent breach, and no excuse of any condition or covenant shall be held to be an excuse of any other condition or covenant, or the same condition or covenant at a subsequent time.

21. This Agreement may be amended in writing by the mutual consent of the parties hereto.

22. The AB 360 Program Funding Claim Information Form with information detailing areas of work on the levees shall be submitted prior to any consideration for reimbursement.

**THE CENTRAL VALLEY
FLOOD PROTECTION BOARD
State of California**

By: _____
Executive Officer

Date: _____

**THE DEPARTMENT OF
WATER RESOURCES
State of California**

By: _____

Date: _____

**APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:**

By: _____
Assistant Chief Counsel

Date: _____

RECLAMATION DISTRICT NO. 828

By: _____

Print Name: _____

Print Title: _____

Date: _____

By: _____

Print Name: _____

Print Title: _____

Date: _____

ITEM 7

**RECLAMATION DISTRICT NO. 828
RESOLUTION 2018-03**

**RESOLUTION ESTABLISHING POLICY FOR REIMBURSEMENT
OF TRUSTEE EXPENSES AND TRUSTEE COMPENSATION**

WHEREAS, Water Code section 50605 authorizes the Reclamation District No. 828 (the "District") to compensate Trustees for services actually and necessarily performed and to reimburse each member of the District Board of Trustees (the "Board") for expenses necessarily incurred in the performance of his/her duties as a Trustee; and

WHEREAS, pursuant to Government Code sections 53232 et seq., the District's Board desires to adopt a written policy ("Policy") defining when the District will pay compensation to Trustees for attendance at specific occurrences, the amount of compensation, and the types of occurrences that qualify a Trustee of the District's Board to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses; and

WHEREAS, any expenses that do not fall within the District's Policy shall be subject to approval by the Board before the expense is incurred.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The District's Board hereby adopts the Reimbursement for Travel and Expenses and Compensation for Meeting Attendance Policy attached hereto Exhibit A.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 828, at a regular meeting thereof, held on July 19, 2018, by the following vote:

AYES:	<u>Bill Mendelson, Deby Provost, Paul Marsh</u>
NOES:	<u>0</u>
ABSENT:	<u>0</u>
ABSTENTION:	<u>0</u>

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 regular meeting of the Board of Trustees thereof held on the 19th day of July, 2018.

Dated: _____, 2018

SECRETARY, Reclamation District 828

EXHIBIT A

POLICY FOR REIMBURSEMENT FOR TRAVEL AND EXPENSES AND COMPENSATION FOR MEETING ATTENDANCE FOR THE BOARD OF TRUSTEES

The Board of Trustees of Reclamation District No. 828 ("District") believes that it is important that elected and appointed officials remain informed and trained in issues affecting the affairs of the District and that attendance at institutes, hearings, meetings, conferences, or other gatherings is of value to the District and its citizens. The benefits include:

- a. The opportunity to discuss the community's concerns with state and federal officials;
- b. Participation in regional, state and national organizations whose activities affect the District;
- c. Attending educational seminars improve officials' skill and information levels; and
- d. Promoting public service and morale by recognizing such service.

In order to promote these endeavors, to protect public resources and foster public trust in the use of those resources, as well as comply with state law requirements regarding reimbursement of expenses, the District hereby sets forth the travel and expense reimbursement policies for the District.

All anticipated conferences, conventions and professional meetings shall be budgeted for in the current operating budget. As the trip is being paid for with public funds, it shall be the responsibility of the official undertaking the trip to make every effort to attend the entire conference and/or as many sessions as possible.

A. AUTHORIZED EXPENSES

District funds, equipment, supplies (including letterhead), titles, and staff time must only be used for authorized District business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this Policy are met:

1. Communicating with representatives of regional, state and national government on District adopted policy positions;
2. Attending educational seminars designed to improve officials' skill and information levels, including, but not limited to, State required ethics training and sexual harassment prevention training and education;
3. Participating in local, regional, state and national organizations whose activities affect the District's interests;

EXHIBIT A

4. Recognizing service to the District (for example, thanking a longtime employee with a retirement give or celebration of nominal value and cost);
5. Attending District events;
6. Meetings such as those listed above for which a meeting stipend is expressly authorized under this Policy.

All other expenditures require prior approval by the District.

B. EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT

Examples of personal expenses that the District will not reimburse include, but are not limited to:

1. The personal portion of any trip;
2. Political or charitable contributions or events;
3. Family expenses, including partner's expenses, when accompanying official on agency-related business, as well as children or pet-related expenses;
4. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
5. Alcohol/personal bar expenses;
6. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
7. Personal losses incurred while on District business.

C. COMPENSATION FOR ATTENDANCE AT MEETINGS

The District shall compensate Trustees for attendance at a meeting of the Board of Trustees at the rate of \$50.00 per meeting.

A meeting, for the purpose of this Section C, means the following:

1. Attendance at regular or special meetings of the Board of Trustees of the District.
2. Meetings as set forth in Section A.1, A.2, A.3 and A.5 above.
3. Attendance at scheduled levee inspections.

EXHIBIT A

4. Service per day as levee superintendent in the absence of the levee superintendent.
5. Meeting with the District Engineer and/or Levee Superintendent at the request of the District's Engineer or Levee Superintendent regarding District matters.

In no event shall the compensation per month exceed that for 10 meetings.

D. TRANSPORTATION

When attending conferences or meetings that are of such distance that it is more economical to take commercial transportation, if an official proposes to drive his/her car in those cases, commercial air fare will be paid and not automobile mileage. Government and group rates must be used when available.

1. **Airfare.** Airfares that are reasonable and economical shall be eligible for purposes of reimbursement.

2. **Automobile.** Automobile mileage is reimbursed at Internal Revenue Service ("IRS") rates in effect at the time of travel. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.

3. **Car Rental.** Rental rates that are reasonable and economical shall be eligible for purposes of reimbursement.

4. **Taxis/Shuttles.** Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

E. LODGING

Lodging expenses will be reimbursed or paid for when travel on official District business reasonably requires an overnight stay. If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. Travelers must request government rates, when available. If the group rate is not available, reimbursement at the IRS rate in effect at the time of travel shall apply (IRS Publication 463).

F. MEALS

EXHIBIT A

A local expense reimbursement policy identifying a “per diem” of reasonable rates for meals is not adopted. Receipts for expenses for meals shall be required. Actual expenses shall be reimbursed subject to the maximum per diem for the meal as set by the IRS rate in effect at the time of travel. (See Cal. Gov’t Code § 53232.2(c) and Publication 1542 at www.irs.gov or www.policyworks.gov/perdiem.) The District will not pay for alcohol/ personal bar expenses.

G. MISCELLANEOUS

Officials will be reimbursed for actual telephone, fax, and parking expenses incurred on District business. Telephone bills should identify which calls were made on District business.

H. CASH ADVANCE POLICY

From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the District’s behalf. Such request for an advance should be submitted to the District ten (10) working days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of District;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

Any unused advance must be returned to the District within five (5) working days of the official’s return, along with an expense report and receipts documenting how the advance was used. In the event the District is uncertain as to whether a request complies with this Policy, such individual must seek resolution from the Board of Trustees.

J. EXPENSE REPORT CONTENT AND SUBMISSION DEADLINES

All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the District. This form shall include the following advisory:

“All expenses reported on this form must comply with the District’s policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the District’s policies include loss of

EXHIBIT A

reimbursement privileges, restitution, civil and criminal penalties as well as additional income tax liability.”

Expense reports must document that the expense in question met the requirements of this Policy. Officials must submit their expense reports within thirty (30) calendar days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation. Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.

In the event the official does not attend the trip and non-refundable expenses have been incurred for registration, lodging and/or travel, the non-attending official shall submit a written explanation of the reasons for non-attendance to the District. The District shall determine if the public funds advanced must be reimbursed to the District. Any decision of the District may be appealed to the Board of Trustees.

All expenses are subject to verification that they comply with this Policy.

K. REPORTS TO BOARD

At the next regular Board of Trustees meeting, each official shall briefly report on meetings attended at District expense. If multiple officials attended, a joint report may be made.

L. COMPLIANCE WITH LAWS; VIOLATION

District officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the Public Records Act and other applicable laws. Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the District, 3) the agency's reporting the expenses as income to the elected official to state and federal tax authorities, 4) civil penalties of up to \$1,000.00 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

ITEM 8

Division of Flood Management

2020 California Preseason Flood Coordination Meetings



Department of Water Resources



Agenda Topics

Flood Operations Tabletop Exercise

Winter Weather Outlook

Regional Updates

Multi-Agency Coordination

Flood Fighting Methods and Materials

Local Flood Concerns and ER Support

For questions or details on specific meetings, please contact Wendy Francis at (916) 574-2619 or wendy.francis@water.ca.gov.

You are invited to join flood emergency response partners to discuss flood preparedness in your region. Hosted by the State-Federal Flood Operations Center, in partnership with County Offices of Emergency Services, these virtual meetings provide regional and local updates on annual flood preparedness activities.

SHASTA

Tuesday, October 13
9:00 am - 11:00 am

MARIN

Thursday, October 22
1:00 pm - 3:00 pm

SAN JOAQUIN

Tuesday, October 27
2:00 pm - 4:00 pm

RIVERSIDE

Tuesday, November 3
1:00 pm - 3:00 pm

KINGS

Thursday, November 5
1:00 pm - 3:00 pm

SANTA CRUZ

Thursday, October 22
9:00 am - 11:00 am

HUMBOLDT

Tuesday, October 27
9:00 am - 11:00 am

YOLO

Thursday, October 29
9:00 am - 11:00 am

VENTURA

Wednesday, November 4
9:00 am - 11:00 am

MERCED

Tuesday, November 17
1:00 pm - 3:00 pm

Who should attend these meetings?

- Managers and key emergency responders from California public agencies with primary responsibility for flood emergency response and coordination
- Counties, cities, flood control districts, reclamation districts, local maintaining agencies, and tribal agencies.

ITEM 9

RD 828: MASTER CALENDAR

JANUARY

- Board Meeting – 3rd Thursday at 8:30 a.m.
- Adopt Subventions Agreement Resolution
- Election of Officers (After an election)
- Obtain Insurance to be Approved. Insurance year is April to March

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 – 3rd Thursday at 8:30 a.m.
- Renew District Insurance

MAY

JUNE

JULY

- Board Meeting – 3rd 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 – 3rd 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:

Name	Term Commenced	Term Ends
Bill Mendelson	First Friday 12/2017	First Friday of 12/2021
Debbie Provost	First Friday 12/2019	First Friday of 12/2023
Paul Marsh	First Friday 12/2019	First Friday of 12/2023

No Expiration on Assessment

Refund of Smith Canal Closure Election Contribution – when there is adequate surplus funding available, the disbursement of which will not generate Project delays.

ITEM 10

RD 828 BILLS TO BE PAID
October 15, 2020

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	RATIFY	WARRANT #
Custom Spraying, Inc.	9/8/2020	11-2106	\$1,300.00			
				\$1,300.00		
Kjedlsen, Sinnock & Neudeck, Inc.	7/14/2020	28159	\$63.75			
	7/14/2020	28160	\$581.25			
	7/14/2020	28161	\$3,698.75			
	7/14/2020	28162	\$402.25			
	8/12/2020	28358	\$394.60			
	8/12/2020	28359	\$1,007.50			
	8/12/2020	28360	\$483.67			
	8/12/2020	28361	\$4,733.75			
	8/12/2020	28362	\$316.00			
	9/11/2020	28578	\$828.15			
	9/11/2020	28579	\$141.25			
	9/11/2020	28580	\$2,810.00			
	10/12/2020	28759	\$251.25			
	10/12/2020	28760	\$2,835.00			
				\$18,547.17		
Neumiller & Beardslee	7/16/2020	309717	\$996.35			
	8/10/2020	310507	\$1,632.50			
	9/17/2020	311578	\$193.00			
				\$2,821.85		
Trustee Stipend - 10/15/2020 Regular Board Meeting	Deby Provost		\$50.00	\$50.00		
Trustee Stipend - 10/15/2020 Regular Board Meeting	Bill Mendelson		\$50.00	\$50.00		
Trustee Stipend - 10/15/2020 Regular Board Meeting	Paul Marsh		\$50.00	\$50.00		

TOTAL: **\$22,819.02**

NOTES:

Fund Balance as of September 30, 2020	\$552,482.91
Less Submitted Bills for Payment:	<u>\$22,819.02</u>
Total:	\$529,663.89

RD 828 BILLS PAID
July 15, 2020

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	RATIFY	WARRANT #
Kjedlsen, Sinnock & Neudeck, Inc.	6/5/2020	27927	\$315.00			
	6/5/2020	27928	\$2,357.50			
	6/5/2020	27929	\$22.50			
				\$2,695.00		1370
Neumiller & Beardslee	5/15/2020	308328	\$594.00			
	6/17/2020	309385	\$673.00			
				\$1,267.00		1371
Trustee Stipend - 07/15/2020 Regular Board Meeting	Deby Provost		\$50.00	\$50.00		1372
Trustee Stipend - 07/15/2020 Regular Board Meeting	Bill Mendelson		\$50.00	\$50.00		1373
Trustee Stipend - 01/24/2020 Meeting to Sign County Permits			\$50.00	\$50.00		1373
Trustee Stipend - 07/15/2020 Regular Board Meeting	Paul Marsh		\$50.00	\$50.00		1374

TOTAL: **\$4,162.00**

NOTES:

Fund Balance as of May 31, 2020	\$541,338.40
Less Submitted Bills for Payment:	<u>\$4,162.00</u>
Total:	\$537,176.40