LOWER SAN JOAQUIN LEVEE DISTRICT
DOS PALOS, CALIFORNIA

RESOLUTION NO. 750-26

RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING A MISCELLANEOUS FEE SCHEDULE

A. WHEREAS, the Lower San Joaquin Levee District (the "District") is a levee district formed, organized, and operating pursuant to the Lower San Joaquin Levee District Act, California Water Code Appendix Chapter 75 (the "Act"); and

B. WHEREAS, the District operates and maintains flood control and protection facilities owned by the State; and

C. WHEREAS, the District has all powers necessary or convenient to carry out fully its powers and purposes (California Water Code Appendix §§ 75-10 and 75-7); and

D. WHEREAS, pursuant to Article XIII C of the California Constitution, also referred to as Proposition ("Prop. 26"), the District is authorized to establish fees and charges imposed for a specific benefit conferred or privilege granted, or a government service or product provided directly to the payor that is not provided to those not charged, so long as the fees and charges do not exceed the reasonable costs to the District of conferring the benefit or granting the privilege, or providing the service or product; and

E. WHEREAS, the District intends to supersede and replace the Miscellaneous Fee Schedule adopted in 2025 through Resolution 740-25 with the proposed Miscellaneous Fee Schedule contained herein; and

F. WHEREAS, the District provided adequate notice regarding its intent to hold a Public Hearing to consider adoption of a proposed Miscellaneous Fee Schedule; and

G. WHEREAS, the District now desires to adopt a Miscellaneous Fee Schedule to recover its actual costs incurred for District-provided services, including review and analysis of encroachment permits submitted by landowners to the Central Valley Flood Protection Board ("CVFPB") for encroachment on facilities operated and maintained by the District, District Employee Time, Equipment Rate, Project-related engineering and legal services and materials costs, costs incurred by the District related to individuals moving or "Wheeling" water through District-operated facilities, and requests for modification to flapgates; and

H. WHEREAS, the District proposed to recover its actual costs related to Water-Wheeling through District facilities by charging a flat monthly rate based on the total benefit assessed, divided by the total miles of use, which is further broken down by month. This method results in a reasonable estimate of costs incurred by the District when it wheels water. This proposed system divides the annual budget amount by the fraction of the system's total length of the bypass channel system being used. Currently, the District's annual operating budget is

$1,585,712.90, and the total length of the bypass channel system is 186.68 miles. Dividing the budget by the length equates: $8,494.28 per mile per year. However, if water is only wheeled through the system for a portion of the year, this rate can be further broken down by monthly costs through dividing the yearly water wheeling charge by 12 months, which equates: $707.86 per mile per month. This rate allows the District to charge wheeling fees based on a cost estimate that reasonably approaches the actual cost the District incurs to wheel water.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the District finds and declares as follows:

1. The above Recitals are true and correct and this Board of Directors ("Board") so finds and determines.

2. This Resolution supersedes and replaces Resolution No. 740-25 adopted by the District's Board on August 12, 2025.

3. It is prudent and necessary for the District to recover actual expenses incurred by the District related to various customer services through the adoption of the Miscellaneous Fee Schedule.

4. The District's Board hereby adopts the Miscellaneous Fee Schedule attached hereto as Exhibit "A" and incorporated herein by reference.

5. The Board hereby finds and determines that this Resolution shall be effective immediately upon its approval and adoption.

6. The Board authorizes District staff to take such other and additional actions as may be reasonably necessary to implement the purpose of this Resolution

APPROVED AND ADOPTED by the Board of Directors of the Lower San Joaquin Levee District on the 13th day of October, 2026, by the following vote:

Ayes: 6
Noes: Ø
Abstain: Ø
Absent: 1

Lower San Joaquin Levee District
Dos Palos, CA

By: _____
George Park, Vice-Chairman

Attest

By: _____
Shane Swartz, GM/Secretary to the Board

EXHIBIT "A"

Miscellaneous Fee Schedule

Miscellaneous Services	Fee
Encroachment Permit Review Fee (deposit)	Actual cost (including, but not limited to, staff time, legal, engineering, etc.); $2,500.00 deposit per permit
District Employee Time	Actual Cost
Equipment Rate	Published Caltrans Rate
Project-related Engineering Services	Actual Cost
Project-related Legal Services	Actual Cost
Project-related Miscellaneous Material Costs	Actual Cost
Water-Wheeling Charge (deposit)	$707.86 per mile per month; $2,500 deposit to cover Actual Cost (including, but not limited to, staff time, legal, engineering, etc.)
Request for Modification of Flapgates (deposit)	Actual Cost; $2,500 per location Deposit for staff time and materials