

**MINUTES OF THE GENERAL MEETING
BOARD OF THE DIRECTORS OF THE
LOWER SAN JOAQUIN LEVEE DISTRICT
TUESDAY, JUNE 10, 2025**

Pursuant to the Call of the Chairman, a regular Meeting of the Board of Directors of the Lower San Joaquin Levee District was held in the office of the San Luis Canal Company at 11704 W Henry Miller Avenue, Dos Palos, Merced County, California on Tuesday, June 10, 2025, at the hour of 8:30 A.M.

CALL TO ORDER

Chairman Catania presided over the meeting and called it to order, with the following Directors present in the boardroom: Sean Howard, Breanne Vandenberg, Steve Shehadey, and Bob Kelley. Director Park and Director Vlot were absent. The following staff were present in the boardroom: Legal Counsel Lauren Layne, Secretary-Manager Shane Swartz, Superintendent Jody McClellon, and Office Administrator Raegan Huff. There were no guests present in the boardroom.

PLEDGE OF ALLEGIANCE

Director Howard led those in attendance in the Pledge of Allegiance.

CORRECTIONS OR ADDITIONS TO THE AGENDA

No corrections or additions.

BOARD MINUTES

Following a discussion regarding the previous Board minutes, the Minutes of the Board's general meeting, held on May 13, 2025, were approved on a motion by Director Howard and seconded by Director Vandenberg.

LEGAL COUNSEL'S REPORT

Attorney Layne provided a brief update on recent legislative developments to the Board. She informed them that she had reached out to the attorney representing the D&D Land and Water Duck Club to request additional information about the locations of the roads they claim to have access to under the easements they have reserved; however, she did not receive a response. She also mentioned that she then received a letter from a new attorney who will be representing the D&D Land and Water duck club, indicating a threat of litigation and claiming that they have a prescriptive easement to the patrol road on the levee. Attorney Layne stated her intention to

send an email requesting evidence of their right of access, and she will update the Board further once more information becomes available.

SUPERINTENDENT'S REPORT

Superintendent McClellon reported that the FSRP graveling project on Unit 2 is ongoing. He also noted that the project had to be paused for a few days due to the material being incorrect.

Superintendent McClellon stated that the rodent control program is ongoing, with the use of Diphacinone bait and carbon monoxide generating machines.

Superintendent McClellon reported that mowing of the levee roadways and slopes continues.

Superintendent McClellon stated that gate and fence repairs continue as needed.

ACTION ITEMS

Resolution 737-25, Authorizing the levy and collection of assessments for the District for the 2025-2026 fiscal year, review and consider taking action.

Resolution 737-25 was presented to the Board for consideration. This resolution authorizes the levy and collection of assessments for the District for the 2025-2026 fiscal year. On a motion by Director Shehadey and seconded by Director Kelley, the Resolution was adopted.

Resolution 738-25, Benefit Assessment Notification, review and consider taking action.

Resolution 738-25 was presented to the Board for consideration, authorizing the benefit assessment notification for the 2025-2026 fiscal year. On a motion by Director Vandenberg and seconded by Director Howard, the Resolution was adopted.

Resolution 739-25, Collection of Benefit Assessment, review and consider taking action.

Resolution 739-25 was presented to the Board for consideration. This resolution authorizes the collection of benefit assessments from the Merced, Madera, and Fresno counties for the 2025-2026 fiscal year. On a motion by Director Kelley and seconded by Director Shehadey, the Resolution was adopted.

Review and consider setting the Public Hearing to adopt Resolution 740-25, Miscellaneous Fee Schedule, and provide staff direction on fees.

Attorney Layne presented a draft resolution to the Board, proposing to schedule a public hearing for the adoption of Resolution 740-25. This resolution aims to update the District's Miscellaneous Fee Schedule and to include a water wheeling charge related to the Modesto Properties' encroachment permit. After a discussion, the Board directed staff to set the date for the public hearing at the Board meeting on August 12, 2025.

**LOWER SAN JOAQUIN LEVEE DISTRICT
DOS PALOS, CALIFORNIA**

RESOLUTION NO. 737-25

**RESOLUTION OF THE BOARD OF DIRECTORS
AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS
FOR THE DISTRICT FOR THE 2025-2026 FISCAL YEAR**

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”);

WHEREAS, in 1996, California voters approved Proposition 218, which added Article XIII D to the California Constitution (“Prop. 218”). Prop. 218 imposes certain public notice and majority landowner protest requirements prior to a local governmental agency’s ability to levy new or additional property-related assessments on landowners;

WHEREAS, the District has the authority to levy assessments on parcels located within the District’s boundaries (“Assessments”) for the District’s general administration costs, system operations and maintenance costs pursuant to California Water Code Appendix, Section 75-8;

WHEREAS, the Assessments levied against the parcels are not levied with regard to property values, but rather on the proportional benefit expressed as the benefit product of the parcel multiplied by the total amount to be collected in the county, divided by the sum of the various benefit products of all parcels in the county which are in the District;

WHEREAS, on February 13, 2024, the District’s Board of Directors (the “Board”) accepted a professional engineer’s report prepared by Summers Engineering, Inc. estimating the Assessments and outlining procedures for adopting Prop. 218 benefit assessments for all non-exempt parcels (the “Engineer’s Report”);

WHEREAS, after proper notice and multiple workshops, on May 14, 2024 at 8:30 a.m., the District held a Prop. 218 public hearing in compliance with the California Constitution and whereby ballots were collected, opened, and tabulated, resulting in less than a majority of landowner protests returned; and

WHEREAS, the tabulated assessment ballots submitted in opposition to the proposed assessments did not exceed the assessment ballots submitted in favor of the proposed assessments, and therefore no majority protest occurred; and

WHEREAS, the Board is therefore authorized to impose the Benefit Assessments up to the maximum amounts approved by the landowners; and

WHEREAS, the Board, by this Resolution, is setting the Benefit Assessments for the 2025-2026 fiscal year; and

WHEREAS, the Board of Directors of the District now desires to direct staff to take all actions necessary to levy and collect the Assessments for Fiscal Year 2025-2026.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lower San Joaquin Levee District as follows:

1. The facts stated in the Recitals above are true and correct and the Board so finds, orders, and determines.
2. Having considered the final Engineer's Report and because no majority protest occurred, the Board finds that it is prudent for the District to levy the Benefit Assessments in Fiscal Year 2025-2026 on all non-exempt parcels to fund the District's activities.
3. The Board hereby authorizes and orders the levy and collection of Benefit Assessments on those lands within the District up to the maximum amounts contained in the Engineer's Report, as shown in Table 7, below.

Table 7
Lower San Joaquin Levee District
Proposed Assessment Rates by Land Use Type

Category	Land Use Factor	Base Rate per Acre (\$)	Proposed Assessment Rate per Acre (\$)
(A) Waster or Unusable Land	0	0.525	0.00
(B) Agricultural-Grazing	1	0.525	0.53
(C) Agricultural-Other	10	0.525	5.25
(D) Single-Family Residential	250	0.525	131.25
(E) Commercial, Industrial and Other	500	0.525	262.50
(F-1) Agricultural (80%) / Residential (20%)	58	0.525	30.45
(F-2) Agricultural (60%) / Residential (40%)	106	0.525	55.65
(F-3) Agricultural (40%) / Residential (60%)	154	0.525	80.85
(F-4) Agricultural (20%) / Residential (80%)	202	0.525	106.05
(G-1) Agricultural (80%) / Commercial (20%)	108	0.525	56.70
(G-2) Agricultural (60%) / Commercial (40%)	206	0.525	108.15
(G-3) Agricultural (40%) / Commercial (60%)	304	0.525	159.60
(G-4) Agricultural (20%) / Commercial (80%)	402	0.525	211.05

4. The Board hereby authorizes levying the Benefit Assessments on all non-exempt parcels of land within the District boundaries for Fiscal Year 2025-2026 at a base assessment rate of 0.4700 as shown in the Engineer's Report Table 6 (an excerpt of which is provided below), multiplied by the landowner's corresponding Land Use Type shown in the Engineer's Report Table 7 (an excerpt of which is provided above), which generates the assessment rate per acre to be levied on non-exempt parcels in the District for Fiscal Year 2025-2026.

Table 6
Lower San Joaquin Levee District

Proposed Incremental Assessment Increases (FY 2023-24 through FY 2032-33)

Year	Projected Expenses	Proposed Base Assessment Rate	Annual % Increase on Assessments	Projected Revenues	Operating Reserve Balance
FY2023-24	\$1,553,357	0.45000	8%	\$1,653,026	\$351,803
FY2024-25	\$1,577,738	0.47000	4%	\$1,726,494	\$500,559
FY2025-26	\$1,617,182	0.47000	0%	\$1,726,494	\$609,870
FY2026-27	\$1,657,611	0.47500	1%	\$1,744,861	\$697,120
FY2027-28	\$1,699,052	0.47500	0%	\$1,744,861	\$742,929
FY2028-29	\$1,741,528	0.47500	0%	\$1,744,861	\$746,261
FY2029-30	\$1,785,066	0.49000	3%	\$1,799,962	\$761,157
FY2030-31	\$1,829,693	0.50000	2%	\$1,836,695	\$768,159
FY2031-32	\$1,875,435	0.51500	3%	\$1,891,796	\$784,521
FY2032-33	\$1,922,321	0.52500	2%	\$1,926,530	\$790,730
Total Maximum Annual Assessment Amount Chargeable to the Lands in the District					\$1,928,530

5. The Board directs and orders that a certified copy of this Resolution shall be delivered to the Auditor-Controller of Merced County, Madera County, and Fresno County, respectively, for placement of such fees on the respective 2025-2026 county tax rolls and that District staff send invoices to the remaining non-exempt parcels for which the counties do not assess.

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

APPROVED AND ADOPTED by the Board of Directors of the Lower San Joaquin Levee District on the 10th day of June, 2025, by the following vote:

Ayes: 5
Noes: 0
Abstain: 0
Absent: 2

Lower San Joaquin Levee District
Dos Palos, CA

By: Roy Catania
Roy Catania, Chairman

Attest

By: Shane Swartz, GM/Secretary to the Board

**LOWER SAN JOAQUIN LEVEE DISTRICT
DOS PALOS, CALIFORNIA**

RESOLUTION NO. 738-25

**RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING THE BENEFIT
ASSESSMENT NOTIFICATION FOR THE 2025-2026 FISCAL YEAR**

WHEREAS, the Board of Directors (“Board”) of the Lower San Joaquin Levee District (the “District”) is required, under the provisions of Section (b) (6) of the Lower San Joaquin Levee District Act (Chapter 1075 of the Statutes of 1955, as amended by Chapter 404 of the Statutes of 1983), if it elects to have its assessments collected by the County officials of the Counties of Merced, Madera, and Fresno with regard to the portions of the District located within those respective counties to have its assessments collected by the County official, to declare its election by resolution and file a certified copy of the resolution with the Auditors of those counties on or before the first day of August.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Lower San Joaquin Levee District, that it hereby elects to have its assessments collected by the County officials of the Counties of Merced, Madera, and Fresno.

APPROVED AND ADOPTED by the Board of Directors of the Lower San Joaquin Levee District on the 10 day of JUNE, 2025, by the following vote:

Ayes: 5
Noes: 0
Abstain: 0
Absent: 2

**Lower San Joaquin Levee District
Dos Palos, CA**

By: Roy Catania
Roy Catania, Chairman

Attest

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

**LOWER SAN JOAQUIN LEVEE DISTRICT
DOS PALOS, CALIFORNIA**

RESOLUTION NO. 739-25

**RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING THE
COLLECTION OF BENEFIT ASSESSMENT FOR THE 2025-2026 FISCAL YEAR**

WHEREAS, Water Code Appendix 76-8 (b) authorizes the Board of Directors (“Board”) of the Lower San Joaquin Levee District (the “District”), in lieu of any other assessment provided by law, to elect to require a benefit assessment be levied in a sufficient amount to collect funds required by the District for District operations during the coming fiscal year; and

WHEREAS, after due deliberation, this Board has heretofore estimated and determined that the total amount of money to be collected by benefit assessment for all District purposes during the next ensuing year is the sum of \$1,708,212.80; and

WHEREAS, this Board has been heretofore duly informed in writing by the Assessors of the Counties of Fresno, Madera, and Merced, the three counties being all of the counties within which this District lies, of the respective benefit product of all parcels in each such county within the District, determined in accordance with the factors and formulas by law, as shown on the respective county records of their 2025-2026 fiscal year assessments; and

WHEREAS, this Board is required under the organizational act of this District, namely, Statutes 1955, Chapter 1075, Section 8, as amended by Statutes 1983, C404-5, effective July 27, 1983, to determine the portion of the benefit assessment to be collected by each county.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Lower San Joaquin Levee District does hereby find and affirm as follows:

1. The District elects to collect amounts required by the District for District operations by levy of a benefit assessment; and
2. The Board of Directors of the District certifies that the total amount of money necessary to be collected by such Benefit Assessment for all District purposes during the next ensuing year is the sum of \$1,708,212.80; and
3. The portion of said amount to be collected within each of the counties of this District below mentioned, as required by law, shall be as follows:

<u>COUNTY</u>	<u>TO BE COLLECTED</u>
Fresno	\$452,311.10
Madera	\$690,370.76
Merced	<u>\$565,531.02</u>
	\$1,708,212.80

4. The Secretary-Manager of the District is hereby authorized and instructed to immediately transmit to the County Auditors of the respective counties of Fresno, Madera, and Merced a statement of the amount of the assessment to be collected by each county; and

5. The Secretary-Manager of the District is hereby authorized to send invoices to any landowners to whom the counties do not send an assessment on the District's behalf.

APPROVED AND ADOPTED by the Board of Directors of the Lower San Joaquin Levee District on the 10 day of JUNE, 2025, by the following vote:

Ayes: 5
Noes: 0
Abstain: 0
Absent: 2

**Lower San Joaquin Levee District
Dos Palos, CA**

By: Roy Catania
Roy Catania, Chairman

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

SECRETARY-MANAGER'S REPORT

S-M Swartz presented current updates on flood operations and Friant Dam flows.

S-M Swartz informed the Board that the Board meeting scheduled for July 8th will be canceled.

DWR – Deferred Maintenance Program

S-M Swartz provided an update on DWR's Deferred Maintenance Program. S-M Swartz stated that Phase 2 of the DMP project, Package B, which includes six additional pipe replacements, has begun. He also mentioned that four of the six pipes have been completed and replaced by Wood Bros., Inc.

DWR – Flood Maintenance Assistance Program (FMAP) Update

S-M Swartz provided an update on DWR's Flood Maintenance Assistance Program. S-M Swartz informed the Board that the FMAP program has been officially paused and will not be funded for the 2026 calendar year.

DWR- Flood System Repair Program (FSRP) Update

S-M Swartz provided an update on DWR's Flood System Repair Program. S-M Swartz updated the Board that the FSRP gravel project is ongoing in Unit 2; however, the project had to be paused for a few days due to incorrect material.

DWR – Regional Flood Management Plan (RFMP) Update

S-M Swartz provided an update on DWR's Regional Flood Management Plan. S-M Swartz informed the Board that he is currently working with the District's legal counsel to dissolve and transfer the funds from the San Joaquin River Flood Control Project Agency JPA.

BUDGET STATUS REPORT

S-M Swartz requested that Chairman Catania table the Budget Status Report until the Board meeting on August 12th, due to the presentation of incorrect claims.

OTHER BUSINESS

No other business.

PUBLIC COMMENT

No public comment.

ADOJOURNMENT

There being no further business, Chairman Catania declared the meeting adjourned at 9:29 AM.

Shane Swartz, Secretary-Manager