

Manteca, California  
November 21, 2017

The Board of Directors of the South San Joaquin Irrigation District met in special session in their chambers at 9:00 a.m. President Kuil called the meeting to order and led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER KUIL ROOS  
ABSENT: NONE

Also present were General Manager Peter Rietkerk, General Counsel Steve Emrick, District Counsel Mia Brown, Engineering Department Manager Sam Bologna, and Clerk of the Board Betty Garcia.

**Public Comment** - None

President Kuil announced the Board will adjourn to Closed Session to discuss item #11D – Management Unit Negotiations.

The Board adjourned to Closed Session at 9:02 a.m., and returned to Open Session at 9:32 a.m.

President Kuil announced that there were no reportable actions take in Closed Session.

**CONSENT CALENDAR**

- A. Approval of Warrants in the amount of \$881,943.33; A/P wires in the amount of \$473,603.69; payroll dated October 27 in the amount of \$197,952.40; payroll dated November 2, in the amount of \$2,500.00; and payroll dated November 10 in the amount of \$199,475.74.
- B. Approval of the Regular Board Meeting Minutes of October 24, 2017.
- C. Approval of Special Board Meeting Minutes of November 2, 2017.
- D. Approval of Special Board Meeting Minutes of November 8, 2017.
- E. Approval of consent to SSJID’s entry upon property to read and to maintain flow meter for Larry & Beverly Woltjer, APN 205-100-19 & 20.
- F. Approval of consent to SSJID’s entry upon property to read and to maintain flow meter for Little Rock Ranch, LLC, APN 205-110-09.
- G. Approval of consent to SSJID’s entry upon property to read and to maintain flow meter for Brian Negley, APN 225-020-20 and 225-080-13.

Director Kamper noted that on page 10 of the Regular Board Meeting Minutes of October 24, 2017 (Consent Calendar Item “B”) under Bere Lindley’s report, the item related to Lathrop

Irrigation District, should state “As of November 1, SSJID will no longer provide administrative services to Lathrop Irrigation District.”

Director Holbrook requested that the APNs, maps, and acreages provided for Consent Calendar Items F and G be verified and updated if necessary.

A motion was made by Director Roos and seconded by Director Holmes to approve the Consent Calendar subject to the comments above. The motion passed 5 to 0 by the following roll call vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

### **ACTION CALENDAR**

#### **Item #1 – Consider approval of Board Room remodel expense and lobby work**

Mr. Bere Lindley, Assistant General Manager, stated that Robin Giuntoli has been working with Georgiann Rose of Spaces Design Group and Michael Loureio of Progressive Designs to gather information about expected costs for the remodeling project. There is no way to know the exact costs of permittings but staff is allowing up to \$15,000 to cover these costs. The lobby upgrade will cost approximately \$19,866 and will include bulletproof glass at the front counter. The remodeling of the Boardroom will also include a projection system, microphones, AV equipment/sound system, and sound-proofing.

Director Holbrook expressed concerns that the furniture lacked ease of mobility to reconfigure when required and suggested that Georgiann Rose meet with District Staff to discuss options.

A motion was made by Director Holmes and seconded by Director Kamper to proceed with the remainder of the project according to the current budget, with authorization for the General Manager to increase the project budget up to an additional 10% to cover ADA compliance expenses if necessary. Any proposed expenditures beyond this amount shall be brought before before the Board for approval. The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

#### **Item #7 – Consider approval of Nur Al-Huda Academy for District to replace Lateral “Y” pipeline**

Mr. Sam Bologna, Engineering Department Manager, explained in detail to the Board that pipeline replacement of this project was previously brought to the Board on April 13, 2015. At that time, the Nur Al-Huda Academy was considering purchasing the property at 1085 S. Union Road, and had requested that the Board consider a maintenance fee in lieu of replacement of the

District's pipeline. The Board took no action at that time, and referred Nur Al-Huda Academy to the City of Manteca to seek assistance for pipeline replacement costs.

Mr. Mohammad ElFarra, representing the Nur Al-Huda Academy, addressed the Board stating the Academy purchased the property, but that its development has come to be a much larger issue than originally thought. The SSJID pipeline runs directly under the fence south of the property line. Surrounding neighbors have structures that would be negatively impacted if the pipe is removed. Mr. ElFarra met with Sam Bologna who suggested that the old pipeline be capped but remain in place, with a new pipeline to be routed through the center of the property, allowing the Academy more flexibility in locating structures upon the property so as not to interfere with access to the pipeline. The Nur Al-Huda Academy requested that SSJID agree to contribution/reimbursement per linear foot of the pipe and that SSJID perform the work.

A motion was made by Director Holmes and seconded by Director Kamper to enter into an agreement that if Nur Al-Huda constructs any building on the property, the District's pipeline will be replaced and rerouted; Nur Al-Huda will have up to one year to have the District replace the pipe at no cost or to reimburse Nur Al-Huda for replacement at the current rate of \$30 per linear foot. Legal counsel is directed to prepare the Agreement, which shall be recorded when executed. The motion passed by a 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER KUIL ROOS
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #2 – Update/Discussion regarding District's property located at 13254 Schell Road, Knights Ferry, California 95361. Consider possible approval of abatement related expenditures**

Ms. Mia Brown, District Counsel, explained that the former resident, Mary Jordan no longer resides at the property, and will not be returning. Forrest Killingsworth and Ms. Brown made a site visit on Friday, November 18 and found the house in extremely poor condition and uninhabitable. The District is in the process of securing the property from trespassers until such time that it can be demolished. The District has provided written notice to Ms. Jordan and to her personal representative that District will be installing security fencing as soon as practical and will commence procedures to demolish the house as permitted in the ground lease concerning the property.

A motion was made by Director Holbrook and seconded by Director Roos to install temporary fencing, performance of an environmental survey and other on-site activities as well as obtain demolition permits for the structure, well, and septic tank and to authorize the General Manager to do all things necessary and proper to complete the job with expenditures not to exceed \$25,000.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #4 – Consider approval of proposed 5-year Capital Expenditures Plan**

Mr. Bere Lindley, Assistant General Manager, explained the first year of the Plan is part of the new annual budget (2018). In addition to capital expenditures, the 5-year plan was adjusted to include expenditures for major projects which are not capital projects (meaning such projects do not result in a new capital asset). This allows SSJID staff and Board to properly plan large projects, regardless if a capital asset results from work performed. He said that planned expenditures for canals and pipelines were developed by Sam Bologna, Joe Catanzarite, and John Briggs. Irrigation telemetry, SCADA, and control room projects were contributed by Frank Avila. Expenditures for the Water Treatment Plant were from Ed Erisman and Justin Ashworth. Purchases of vehicles and equipment were presented by James Ferguson and several projects, including communications and information technology, and the Board Room remodel, were submitted by Finance and Administration. There is \$25,000 in the Engineering Department’s consulting budget that will be moved to the Capital Expenditure Plan for the work recommended by Condor Earth Inc. for the study on the Joint Canal. District General Manager, Mr. Peter Rietkerk said the costs for boring on the Joint Canal could be up to \$150,000.

Director Holbrook asked questions about the Capital Expenditure Plan spreadsheet where items were listed as #16, 16.1 and 16.2, #21 and 21.1, #22 and 22.1, #23 and 23.1 and to clarify what those expenditures are because they appear to be duplicate amounts.

A motion was made by Director Roos and seconded by Director Kamper to approve the 5-Year Capital Expenditure Plan, to clarify or fix the items that appear to be duplicates; and to provide the Assistant General Manager authority to shift expenditures by one (1) year if needed or to bring the Plan back to the Board for approval. The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #3 – Consider possible approval of proposed budget for 2018**

Mr. Lindley stated that the budget was revised yesterday (11/20/2017) to cut \$1.3 million from anticipated legal expenses attributable to the retail electric project. This allows for \$1.5 million cash flow due to these cuts. Mr. Lindley then proceeded to go through the entire proposed budget. After the presentation, Mr. Lindley reported that the General Manager sat down with all of the budgeters and reviewed their requested budget items line by line, asking for justifications and making changes where appropriate. He said the strong and growing financial reserves are very good evidence that the District has been meeting its financial objectives. Some of the large differences in the budget from the past two years include: treated water sales, electric sales,

wages, payroll taxes and benefits disrupted by GASB 68, materials and supplies, general and administrative expenses, legal expenses, investment earnings, income from Tri-Dam, and capital contributions.

A motion was made by Director Holbrook and seconded by Director Roos to approve the 2018 Budget that was distributed at the meeting and to approve the changes to the Capital Expenditures Plan. The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #5 – Consider budget amendment to include the lining of 800 feet on the Main Supply Canal (MSC) near Joint Main Diversion**

Mr. Bologna stated that staff was recently notified by Oakdale Irrigation District (“OID”) of flow discrepancies between the measurement at the flume near the Frymire takeout on the Joint Main Canal and another meter on Frymire Lateral upstream of where it crosses Sonora Road. Upon investigation, OID believes the leak is coming from the SSJID Main Canal downstream of the Joint Main Diversion Structure. They found the inflow to be greater than 1.5 cfs. The estimated cost of the repair for this project is \$150,000. Since this issue was recently brought to SSJID’s attention, it was not included in the 2017 budget.

A motion was made by Director Kamper and seconded by Director Holbrook to issue a budget amendment for \$22,500 to cover the estimated cost to line the MSC in 2017 with the remaining cost of approximately \$127,500 to occur in 2018. The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**#10 – Communications**

**Mr. Frank Avila – Telemetry Systems Supervisor**

MDC Department:

- Tony Encalade officially joined our MDC team as the Meter Technician on November 13, we are very pleased to have him as a member of our Department.
- Added a cement slab at the MDC inlet to install the mag meter.
- Updated the “Vaa” heading, the last cement pour to connect the downstream wall to the ditch will be Monday, then we will hang the gate and install the automation equipment. This project should be complete by the end of this year.
- Completed the upgrade of the W and WC Rubicon gates housings. Next week we will perform the testing process and make sure the gates are ready for next year’s water season.

- We are about 60% finished with the Division 9 vault maintenance.
- We have been fortunate that the rains were light, allowing us to be able to handle the run-off at Drop 1, and not disturb the progress on the county projects on McHenry Boulevard.
- Tony Encalade and Greg Wallace attended a confined space training class on November 16 & 17.

Shop Department:

- Is currently cycling through the Division Trucks, performing the yearly maintenance, and needed repairs.
- The heavy equipment mechanic Bill Emslie is back to work and busy performing minor repairs to the heavy-duty fleet.
- Overall, the Shop is on track with the normal maintenance and repairs, anticipating being done at the end of the year, at which time they will be gearing up for the arrival of the new vehicles.
- The Shop has determined the cause of the engine problems with the Chevy trucks and is making modifications to address the problem.

Maintenance Department:

- They are working on the excavation at Rosier Road. The pipe for the road is schedule to arrive on Wednesday of next week. John Briggs, Field Maintenance Supervisor, is waiting for the County's permit to start the road crossing work.
- They will finish prepping the V-ditch this week. The plan is to start shooting next Monday.
- The WEB – line site is ready for the pipe installation. We expect pipe to arrive next week.

Water Department:

- The crews have finished the pipe crawling on Division 1 and Division 5. Currently the crews are tackling Division 2, and the D and E Lines.
- Expecting to start on Division #3 the first week of December.
- We have seven new employees that this is their first winter season on maintenance, and they are being expose to work in different functions across the district facilities to allow for thorough training of all jobs.
- The new employees also attended the confinement space training
- In addition, the water Department, are assisting with the water diversions from drop#1 through the A, B, and k lines.

**Ed Erisman, Water Treatment Plant Manager**

- Bids were received for the new solar panel washing contract and turns out that Ben Lavato's previous contract of \$4,500 per month was the lowest bid. He actually reduced his bid to \$3,800 and not-to-exceed a total of \$22,800 per year
- Staff is conducting tests on the boil filter system that is being considered for installation on the plant recycle system

**Troylene Saylor, Public Relations Director**

- The Board thanked Trolleyne for all of her hard work with the Senior Breakfast
- Ripon Christian School sent a thank you note to the Board for their contribution to AG Day
- Ripon Chamber of Commerce published an article from SSJID’s General Manager, Peter Rietkerk, in their Communicator Newsletter
- Ripon Light Parade will be held on December 14 and SSJID is one of the main sponsors
- Manteca Centennial Celebration for 100 years will be on January 10, 2018
- Manteca Boys and Girls Club Crabfeed will be on January 20, 2018
- Manteca Rotary will hold their Super Bowl Sunday Breakfast on February 4, 2018 at MRPS Hall and SSJID is one of the Sponsors
- Received a request for donations to the Ray of Hope for their Christmas Guardian Angel program which helps homeless children

**Item #6 – Discuss and consider authorizing expenditure of District funds to annex the portion of 9 parcels that are only partly within the District’s boundary in order for County to collect District water charges on the tax-roll**

Mr. Steve Emrick, District General Counsel, explained that the County collects the District’s fixed rate water charges on the tax-roll. Recently the Finance Department identified nine (9) parcels that the County will not service because they are not within the tax rate areas (TRAs) assigned to SSJID by the Board of Equalization. This appears to be due to the parcels or a portion of the parcels being located outside the District’s boundaries. The solution to having the County service these parcels is to annex the portion of each parcel that is located outside the District’s boundaries.

He explained that the consultant we engaged to assist with change the Municipal Service Review (MSR) could be tasked by LAFCo to amend the District’s Sphere of Influence to facilitate annexation of these parcels. The filing fees for LAFCo will be approximately \$24,000 and there could be additional legal fees charged by LAFCo.

A motion was made by Director Holbrook and seconded by Director Holmes to authorize staff to incur additional consulting costs to amend the MSR to facilitate the annexation of nine (9) parcels and to prepare surveys of the portion of the nine (9) parcels to be annexed and to pay the LAFCo filing fees for annexation of nine (9) parcels. The motion passed 4 to 1 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER ROOS
NOES:	KUIL
ABSTAIN:	NONE
ABSENT:	NONE

**Item #8 – Financial statements for October 2017**

Mr. Lindley stated that he had no formal report but was available to answer any questions the Board may have.

## **#9 – Investment reports for October 2017**

Mr. Lindley stated that he had no formal report but was available to answer any questions the Board may have.

## **#10 – COMMUNICATIONS (Continued)**

Sam Bologna, Engineering Department Manager

- SGMA – The JPA has applied for a grant for moneys to develop the GSP. Each GSA will pay \$11,664 cost share for the preparation of the GSP if the grant is received. Individual costs will likely be more if the grant is not received.
- Meetings with Condor Earth Inc. to perform Main Supply Canal work
- Construction projects –
- Condor Earth Inc. is working on inundation study mapping
- Met with ITRC – Division 9 model
- Working with the City of Manteca on the FCOC Study update; cooperative effort with SSJID
- Delicato escrow
- Working with Mia Brown on encroachment matters
- Inspection on McHenry Bridge project – spill at Main Canal and MDC crossing
- Seeking help from Maintenance Department to assist in Engineering Department temporary help
- Sundance Project – rejected offer of well drilling – will continue to work on negotiations
- Provider offer to Union Pacific – Fresno Spur
- PG&E Master Encroachments

Dave Kamper reported the SJC Farm Bureau held a meeting at Phippens; He visited the New Melones spillway

Peter Rietkerk, General Manager

- Stanislaus River all pulse flows concluded on November 11, 2017. The period was extended and pulses revised upward to a maximum of 2,600 cfs during the pulse flow period to reduce storage in New Melones. Baseflow will continue to remain at 600 cfs at the request of NMFS, approximately 300 cfs above Appendix 2E requirement in the Stanislaus River. Districts are concerned and coordinating with Reclamation to assure that accounting is done appropriately, and District's conservation account is not vacated due to the additional flows as requested by NMFS.
- SSJID held its annual Safety Day on November 1, 2017 at the Water Treatment Plant. Overall, the day was a success on a number of fronts, including the quality of the content, the location, and schedule/time management. Kudos to the SSJID team member's integral in planning Safety Day: Walt Luihn, Dawn Driesen, Julie Vrieling, Don Thornburg, Michael O'Leary, Betty Garcia, Charles Galea, and Joe Hasten.
- Eastern San Joaquin GSA met on November 8 and discussed local cost share and funding allocations for each GSA member to the Groundwater Authority. Working to coordinate this information with the City of Ripon and Escalon and set a meeting with the SSJGSA in December or January timeframe to seek budgetary concurrence.



- Meeting with Davids Engineering on December 6 to monitor the groundwater sustainability plan.
- FISHBIO will be speaking at the November 28, 2017 Water Advisory Committee meeting of the San Joaquin County Farm Bureau.

District General Counsel, Steve Emrick announced that items #11A, 11B, 11C, 11E, 11F, and 11G listed under Closed Session will be discussed.

The Board adjourned to Closed at 1:15 p.m.

**Item #11 – Closed Session**

- a. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
  - 2 cases
  
- b. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Section 54956.9
  - Phase 1 hearings on San Joaquin River/Delta Water Quality Control Plan Before State Water Resources Control Board
  - 1 case
  
- c. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
  - 2 cases

Pacific Gas & Electric Company vs. San Joaquin LAFCO  
Superior Court for San Joaquin County  
Case No. 39-2015-00321743-CU-JR-STK

SSJID vs. Pacific Gas & Electric Company, A California Corp., et al.  
Superior Court for San Joaquin County  
Case No. STK-CV-UED-2016-0006638
  
- e. Conference with Real Property Negotiator  
Property: A portion of District’s access road along the main distribution canal immediately south of Dodds Road and adjacent to Stanislaus County  
APN 002-003-021  
Agency Negotiator: Sam Bologna  
Negotiating Parties: District and property owners Brent and RaeAnn Alger  
Under Negotiation: Price and terms for right to use a portion of District’s property
  
- f. Public Employment  
General Counsel  
Special Counsel – Retail Electric

- g. Public Employment Performance Evaluation  
Government Code Section 54957 (b) (1)  
General Counsel  
District Counsel

The Board returned to Open Session at 2:44 p.m.

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code §54957.1:

District Counsel announced that there was one reportable action taken in Closed Session.

**Item #11E – Conference with Real Property Negotiator**

A motion was made by Director Roos and seconded by Director Holbrook to direct staff to draft an agreement for a revocable license for the use of District Property.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER KUIL ROOS
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #12 – ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Director Holbrook and seconded by Director Kamper to adjourn the meeting at 2:46 p.m.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER KUIL ROOS
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**ATTEST:** \_\_\_\_\_  
Betty L. Garcia, Clerk of the Board