

Manteca, California  
December 19, 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

**CONSENT CALENDAR**

- A. Approval of Warrants in the amount of \$1,004,711.15; A/P wires in the amount of \$569,785.37; payroll dated November 24 in the amount of \$197,331.31; payroll dated December 8 in the amount of \$204,424.29; and payroll dated December 15 in the amount of \$6,179.70.
- B. Approval of the Special Board Meeting Minutes of November 21, 2017.
- C. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Robert & Sandra Bomer, APN 229-030-10.
- D. Accept and file Notice of Completion for Installation of Door Security at District Offices.
- E. Accept and file Notice of Completion for the removal of dirt from the West Basin site.
- F. Receipt of Letter from Terra Land Group.

Director Holbrook noted that the Finance Department needs to verify that all new vendors and payees are legitimate.

Director Roos noted on page 6 of the Minutes under the Water Department's report, the word "star" should be corrected to read "start."

A motion was made by Director Holmes and seconded by Director Holbrook 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 #3 – Consider extending time period for three (3) pre-annexation applicants to file for annexation without an increase in annexation fee**

Mr. Steve Emrick, General Counsel, explained there are three pre-annexation applicants that are affected by the Board’s moratorium on the filing of new annexation and pre-annexation applications adopted at the February 14, 2017 meeting. The three applicants had submitted pre-annexation applications before the suspension was adopted and each had approximately 4 months remaining on the 6 month period to file an annexation application without an increase in the annexation fee when the moratorium was adopted. He suggests the Board consider extending the time period for these three applicants to apply for annexation without experiencing an increase in the annexation fee in effect when the applicant’s pre-annexation application was submitted. The proposed extension would allow each applicant 6 months from the date that the District provides each applicant with notice of the lifting of the suspension, to apply for annexation per the annexation policy, less the time that elapsed from the date of the applicant’s submission of the pre-annexation request until adoption of the suspension on February 14, 2017.

Mr. Gary Barton addressed the Board and said he submitted his application for annexation in December 2016 and he looks forward to the opportunity to apply for annexation. He realizes there are zoning issues with LAFCo and is thankful the financial terms will be extended until the issues are resolved.

A motion was made by Director Holbrook and seconded by Director Roos to go with staff recommendation. The motion passed 5 to 0 by the following vote:

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

**Item #1 – Presentation of 2016 Audit by Maze & Associates**

Mr. Bere Lindley, Assistant General Manager, thanked the Board for their patience in waiting for the audit results. He introduced Mr. Dave Alvey with Maze and Associates. Mr. Alvey asked the Board to review page 6 of the audit and said it is the opinion of Maze & Associates that SSJID’s financial statements are presented fairly and in conformity with Generally Accepted Accounting Principles. He noted one significant internal control deficiency which was lack of written documentation of approval of general journal entries by someone other than the preparer of the entries for a sample of 30 entries. Management noted that the review and approval procedure had fallen behind at the time the auditors took their sample, and that the process has since been caught up.

A motion was made by Director Holmes and seconded by Director Kamper to accept the 2016 Annual Financial Report and audit as presented by Maze & Associates. The motion passed 5 to 0 by the following vote:

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

**Item #2 – Consider approval of Investment Policy for 2018**

Mr. Lindley presented this item to the Board. He said this is an annual routine to bring the current investment policy to the Board each year for approval. He stated when the Board approves the District’s investment policy this approval includes appointing him to the position of Treasurer, and delegating to the Treasurer the board’s authority to manage district investments.

A motion was made by Director Holbrook and seconded by Director Holmes to approve staff’s recommendation to adopt the Investment Policy for 2018 as submitted. 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 new position entitled Civil Engineer/Surveyor**

Mr. Rietkerk explained to the Board that he has been working with Sam Bologna, Forrest Killingsworth, and the personnel committee on how best to replace Sam’s position and restructure the engineering department when he retires.

Mr. Killingsworth informed the Board that he and Mr. Bologna have collaborated with the General Manager and the District’s Personnel Committee to develop a recommendation for staffing needed to adapt to the changing environment related to water resources, regulatory affairs, and other increasing responsibilities carried out by the Engineering Department. Over recent years, new regulations related to water in California, coupled with the evolving methods of irrigation and an aging water conveyance system have led to increased responsibilities and workload throughout the District. These factors can be primarily associated to the following matters:

- SGMA
- SBx7-7
- Water Rights Threats
- Water Supply and Conservation
- City Growth and Development
- Strategic Planning Efforts
- Modernization and Capital Improvements

Mr. Killingsworth said in order to accommodate these changes, staff has developed an Engineering Transition Plan that incorporates a series of phases. Phase I was completed in September 2017 by creating an Engineering Supervisor position. This will allow for a logical succession for the retiring Engineering Department Manager. Phase II involves the creation of a new Civil Engineer/Surveyor position within the Engineering Department. By adding this position, the department will be more appropriately equipped to accommodate the increased engineering and surveying activities typically performed by a licensed engineer or land surveyor. Phase III involves the succession of the Engineering Supervisor position to the Engineering Department Manager position upon retirement of the existing Department Manager. The Engineering Supervisor position would then be eliminated. Phase IV will fill the vacant Associate Civil Engineer position. The hiring process for this phase is currently in motion and will likely be filled in January or February 2018. Phase V creates a new Water Resources Manager position. This phase is anticipated to occur in the first half of 2018. He explained that many of the increased responsibilities are related to regulatory initiatives and water resources. To address those items, staff is recommending an addition to District staff that occurs at a level between the Engineering Department and the General Manager. This position would take the title of Water Resources Manager and would provide support to the General Manager and the Engineering Department Manager related to water resources, policy development, regulatory affairs and compliance, and community development. The skills and experience of the candidate for this position will ultimately determine the orientation of the classification within the organization chart.

Director Holbrook stated after reviewing all of the information, he believes the District does not need another Civil Engineer but rather a licensed surveyor and then followed by a Civil Engineer. Mr. Killingsworth said the only problem is the licensed surveyor would not meet all of the requirements of a civil engineer and the idea is to promote. Director Roos said that staff mentions hiring the Civil Engineer/Surveyor would save the District money but was concerned that the person hired would only supervise outside work. Director Kuil asked Mr. Bologna his thoughts about the transition plan. Mr. Bologna stated the department does need additional support for all engineering work. He said there is a lot of work that requires a legal review of the issues too. Director Kamper asked when was the last time you could find a licensed engineer and a licensed surveyor. Director Holbrook said after working over 30 years in this field, he did not see many people who were a licensed engineer and a licensed surveyor. He says the District needs both positions; he is unsure as to what position should be hired first. Mr. Rietkerk said he sees both Sam and Forrest working late and mostly on engineering issues. Director Holbrook insists that the District needs a licensed surveyor in order to meet the District's needs.

A motion was made by Director Kamper and seconded by Director Holmes to proceed with Phase II of the transition plan and to create a new position entitled Civil Engineer/Surveyor. The motion passed 3 to 2 by the following vote:

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

**Item #5 – Consider initiating the process to increase Director’s compensation**

Ms. Brown stated according to the California Water Code sections 21165 et seq. governs the amount of compensation that may be paid to Directors of irrigation districts. Pursuant to Water Code Section 2166 (a) (2) (C), SSJID may compensate Directors up to \$15,000 annually. The Directors at SSJID currently receive \$12,000 annually.

Director Kuil stated the Directors attend mmeetings and they use their personal cell phones. Director Roos stated the Directors salary has not been increased since 2005. Director Holbrook agreed that the Directors attend more meetings now than in the past.

A motion was made by Director Kamper and seconded by Director Holmes to approve the language of the sample ordinance, authorize staff to publish notice of intent to adopt the Ordinance as required by law; and to set a public hearing for the January 23 Board meeting. The motion passed 5 to 0 by the following vote:

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

**Item #6 – Consider approval of Resolution #17-14-I to provide Worker’s Compensation to Directors per Labor Code §3363.5**

Mr. Lindley stated the District currently provides Worker’s Compensation insurance to its Directors. The District received a letter from SDRMA explaining that their excess carrier has informed them that the California Labor Code requires the District’s Board of Directors to specifically authorize providing workers compensation coverage to volunteers, including unpaid directors. SDRMA is asking all of its covered districts who desire to provide worker’s compensation to its directors to adopt the resolution, even if the directors are paid.

A motion was made by Director Holmes and seconded by Director Holbrook to adopt Resolution #17-14-I for the limited purpose of providing Worker’s Compensation Coverage to directors. The motion passed 3 to 2 by the following roll call vote:

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

**Item #7 – Consider request from the developer of Meadowood Development for a reimbursement for a portion of cost to replace a portion of Lateral “V”.**

Mr. Sam Bologna, Engineering Department Manager, addressed the Board stating the City of Ripon is requiring that the developer of the Meadowood development project in Ripon to pipe the Lateral “V” canal located between Fulton Avenue and Goodwin Drive, north of Highway 99 as part of the North Point Specific plan. There is only a small portion of canal that is affected by this development and the City is requiring the developer to replace the entire canal all the way to

Highway 99, approximately 950 feet. A recent cost estimate provided by the developer indicates an installation unit cost of \$490.00 per foot for pipe installation only and that the total estimated cost for replacing the canal is \$681,920. This works out to be approximately 20% of the unit price for installation which is consistent with listed contributions for other pipe sizes in the 2005 policy. If the Board chooses to contribute at the above referenced amount of \$100.00 per foot, the total contribution would be \$95,000.

A motion was made by Director Kamper and seconded by Director Holmes to approve reimbursement to the developer at \$100.00 per foot with all remaining terms and conditions administered in accordance with District policy, subject to review and approval of improvement plans when submitted and adherence to all standard requirements relative to development projects and subject to legal staff approval of the contract. The motion passed 5 to 0 by the following vote:

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

**Item #8 – Financial Statements for November 2017**

**Item #9 – Investment Reports for November 2017**

Items #8 and #9 are for information only. However, Mr. Lindley was available for any questions the Board of Directors might have.

**The Board took a break at 10:39 a.m.**

**Returned to open session at 10:50 a.m.**

**#11 – Communications**

**Director Holmes**

- He would like staff to consider reenacting the Sump Program and he wished everyone a Merry Christmas.

**Director Roos**

- He wished everyone a Merry Christmas and complimented staff for doing a great job in 2017.

**John Holbrook**

- He also wished everyone a Merry Christmas and thanked staff for doing a great job in 2017.

**Director Kamper**

- He asked the status of the McHenry crossing. Staff informed him that the crossing is still under construction and Mr. Bologna stated it would probably be another month until the project is completed.

**Director Kuil**

- He wished everyone a Merry Christmas and a Happy New Year. He said he had received many emails from employees thanking the Board for their gift of four (4) days off.

**Bere Lindley, Assistant General Manager**

- He thanked the Board of Directors for time off they gave to employees during the holidays.

**Ed Erisman, Water Treatment Plant Manager**

- Staffing changes have occurred at the WTP in the last two weeks. Derek Cray, one of the Senior Operators resigned to take a position in Marina Coast as a Utility Superintendent. After posting the vacant position internally for a week, one of the Plant Mechanics, Brian Nevitt, decided he wanted to go back to Operations. He applied for the position and since he had maintained his certifications, we decided to hire him as a Water Treatment Operator III and he will be required to go through the shift qualification program again since it has been six years since he was an Operator.
- Staff will be conducting the plant's annual water quality drill with the Cities this week. They will simulate a water quality issue (this year it will be a high ph) in the distribution system and we will observe the operators as they troubleshoot and deal with the problem. These drills are very helpful at testing our policies and operator training. We notified the Cities so there is no undue panic and so their staff can also be included in drill.
- Staff is planning the upper intake screen replacement for this coming Spring. There are a few variables, mainly weather related, that could affect this project so we are working on a Plan B and C just in case. If everything goes well this project should take one or two weeks to complete.

**Troylene Sayler, Public Relations Director**

- San Joaquin Farm Bureau is holding their Annual Taste of San Joaquin on March 15, 2018 at the Robert Cabral Ag Center.
- She thanked staff for their help with building the float for the Ripon Light Parade and said John Thien worked really hard to prepare the float and also drove the float in the parade.
- Boys and Girls Club annual crab feed in on Saturday, January 20, 2018.
- Super Bowl Sunday Rotary Pancake Breakfast is on Sunday, February 4, 2018.
- City of Manteca Centennial is coming up on February 28, 2018.
- Retirement party for Sam Bologna is on Wednesday, December 20, 2017.

### **Frank Avila, Interim Operations and Water Superintendent**

- He thanked the Board for the time off during the holiday season to spend with our families.
- **Water Department**
  - Completed work in Divisions 1, 2, 5
  - Crews are working on Division 3; estimated time of completion is January 12, 2018.
  - Work will begin in Division 4 on January 8, 2018; Division 6 will begin on January 29, 2018.
  - Customers are inquiring about a Winter Run.
  - Two farmers have already signed up to rent a well: Fonseca Farms and Dave Van Eldren
- **Maintenance**
  - V ditch: shotcrete is complete from Highland Road to the Rubicon gate downstream.
  - Rossier Basin: Pipeline installed up to the road crossing; hookup has been completed at the B15 control box.
  - Web Pipeline: Pipe installed on the West side of Oleander Avenue. There was a delay in receiving the pipe from the manufacturer. Staff is currently working on the road crossing.
  - MSC: Pressure washing 800 feet from the divide to the tunnel downstream. Staff will possibly be saw cutting and removing some of the floor in this section of the canal.
  - Canal Cleaning: Staff currently working on cleaning the “R” ditch.
  - Water/Maintenance staff worked on the “Oa” pipeline: They poured an extension to the floor and wing walls of a valve that was installed 18 inches above the field grade. This was causing water to wash dirt from around the valve, exposing 10 feet of the main pipeline under the valve.
- **Shop**
  - Vehicle bid requests were sent out on December 8 and are due back by January 10.
  - The shop is getting its year-end cleaning as well as re-organizing some areas to speed up the workflow.
  - Shop is completing the final steps to revamp the vehicle maintenance procedures in hopes of having less engine related failures going forward.
  - Shop crews would like to thank the Board of Directors and Management for the additional time off this holiday season; it is very much appreciated.
- **MDC/Telemetry**
  - Staff is continuing to move forward with the installations of automation of the “Vaa” and “Qf” Laterals.
  - Continued maintenance of the MDC, installed repaired meters, building “Rtu” boxes, and working on the On-Farm communications.

### **Sam Bologna, Engineering Department Manager**

- GBA/ SGMA: Attended groundwater workgroup meeting on December 13 regarding the groundwater model effort. Work is substantially complete and consultant is looking for some final input from various agencies to assist in calibrating the model. Will also be working with county on a selection panel to help select a consultant for the preparation of

the groundwater sustainability plan (GSP). Peter and Sammet with City Managers from Ripon and Escalon to discuss projected expenditures and tasks envisioned for the next year. Also met with Bryan Thoreson with Davids Engineering to discuss technical needs related to SGMA and various groundwater support needs that are in our existing contract with them.

- Joint Canal hazard study: - Condor is working on proposal for work needed to investigate new tunnel project to by-pass a majority of the Joint Canal. Proposal should be ready by middle of January. Plan to meet with them on Thursday to discuss the status of proposal and to provide an overview of past work to other staff members to help familiarize them with past efforts.
- Construction project update: Making progress on plans for winter work and have met with developer's contractors preparing to do work on our facilities as part of development projects. Kleinfelder will be beginning their work soon, which will assist us in canal rehabilitation on the MDC. Randy Sprinkle was chosen to assist the engineering department temporarily during the maintenance season.
- Woodward Reservoir inundation mapping: Condor has completed the necessary inundation mapping to assist in the update of the EAP and satisfy the DSOD requirement by the end of the year. Once submitted we hope to be able to downgrade the extremely high hazard rating for Woodward Dam.
- FCOC study: We received three proposals for the FCOC study update. We plan to evaluate the proposals and make a section soon. City will be administering contract with District paying half of the cost of the study. Met with City of Manteca staff for our quarterly meeting and went over a variety of issues with them. In addition, met with Manteca's City Manager and his staff regarding the upcoming Great Wolf Lodge project.
- Misc. issues- Have met with Peter, Dawn and Forrest to go over the status of various projects to assist in transition process. Also will be working with Mia to provide information on a number of outstanding matters.
- He thanked Board for their generosity in giving extra time off during the holidays.

### **Peter Rietkerk, General Manager**

- Rietkerk reported little precipitation and to date, indicating that we only received approximately 45% of average at this point in the water season. He said a high pressure ridge is keeping us dry, and that La Nina conditions continue to persist which trend toward drier conditions. The forecast for the next 7 to 10 days is dry weather.
- Rietkerk has been working with the City of Ripon and the City of Escalon regarding the South San Joaquin Groundwater Sustainability Agency and the proposed cost-allocation share and budget for 2018.
- Hiring, Succession & Transition Planning
  - Frank Avila accepted the position for Interim Water & Operations Superintendent and he is happy that he did.
  - Met with Don Thornburg regarding the hiring of 5 to 7 positions that need to be filled. They discussed advertising locally, regionally, and to the District's website.
- He thanked the Board of Directors for the time off during the holidays.

**Item #14 – Retiring Employee Recognition**

Board President Kuil read the Resolution #17-15-H in appreciation of Sam Bologna’s service on the occasion of his retirement and commended him for his dedicated service to the District.

A motion was made by Director Kuil and seconded by Director Holbrook to approve Resolution #17-15-H in appreciation of Sam Bologna’s service to the District. The motion passed 5 to 0 by the following roll call vote:

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

District General Counsel, Steve Emrick announced that all items listed under Closed Session will be discussed. The Board took a break and then adjourned to Closed Session at 11:48 p.m.

**Item #12 – 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
  
- d. Management Unit Negotiations  
California Government Code Section 54957.6  
Agency Negotiator: General Manager  
Employee Organizations: SSJID’s Management Group

- e. Public Employment  
Government Code Section 54957  
Operations/Water Superintendent
- f. Public Employment Performance Evaluation  
Government Code Section 54957  
District Counsel
- g. Public Employment  
General Counsel  
Special Counsel – Retail Electric
- h. Conference with Real Property Negotiator  
Property: Replacement of District’s Well #12 Powers Pump  
APN 002-003-021  
Agency Negotiator: Sam Bologna  
Negotiating Parties: SSJID and FCB Homes  
Under Negotiation: Price and terms for well replacement
- i. Conference with Real Property Negotiator  
Property: Water  
Agency Negotiator: General Manager  
Negotiating Parties: SSJID and Central San Joaquin Water Conservation District  
Under Negotiation: Price and terms of payment of sale
- j. Public Employment  
Civil Engineer/Surveyor and Staffing Needs
- k. Public Employment  
Engineering Manager
- l. Conference with Real Property Negotiator  
Property: A portion of District’s French Camp Outlet Canal Property  
Agency Negotiator: Sam Bologna  
Negotiating Parties: SSJID and Union Pacific Railroad  
Under Negotiation: Price and terms of payment

The Board returned to Open Session at 2:22 p.m.

**Item #13** - Disclosure of reportable actions taken in Closed Session, pursuant to Government Code §54957.1:

District Counsel announced the following reportable actions that were taken in Closed Session:

**Item #12d –Management Unit Negotiations**

A motion was made by Director Holmes and seconded by Director Kamper to accept the Management Memorandum of Understanding as presented to the Board with non-substantive changes. The motion passed 5 to 0 by the following vote:

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

**Item #12G – Public Employment – General C Counsel**

A motion was made by Director Holmes and seconded by Director Holbrook to appoint Mia S. Brown as General Counsel effective January 1, 2018. The motion passed 5 to 0 by the following vote:

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

**Item #12G – Public Employment Special Counsel**

A motion was made by Director Holmes and seconded by Director Kamper to amend the employment contract of Steve Emrick effective January 1, 2018 and to appoint him as Special Counsel; and the President of the Board authorized the General Manager to sign both contracts for General Counsel and for Special Counsel. The motion passed 5 to 0 by the following vote:

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

**Action Calendar continued:**

**#14 – Retiring Employee Recognition**

President Kuil read the Resolution #17-16-H in honor of the retirement of Joe Catanzarite. A motion was made by Director Holbrook and seconded by Director Roos to adopt Resolution #17-16-H honoring Joe Catanzarite. The motion passed 5 to 0 by the following roll call vote:

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

**Item #15 – ADJOURNMENT**

There being no further business to come before the Board, a motion was made by Director Roos and seconded by Director Kamper to adjourn the meeting at 2:30 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