

Manteca, California
April 27, 2010

The Board of Directors of the South San Joaquin Irrigation District met in regular session in their chambers at the hour of 9:00 a.m.

Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK KUIL KAMPER SCHULZ ROOS

Also present were General Manager Shields, District Counsel Emrick and Engineering Department Manager Bologna.

President Kamper called the meeting to order and asked for public comment. There being none he asked the Board to consider approving the Consent Calendar Items as presented:

CONSENT CALENDAR

- A. Warrants of \$588,793.62
- B. Regular Board Meeting Minutes of April 13, 2010.

Holbrook noted that the vote was not included in item #5 of the April 13 minutes. Emrick said he would check his meeting notes, but believed the motion passed unanimously.

Director Roos asked in regards to the delivery of magnacide, if we would be able to change the delivery location to the WTP. General Council said he had checked with Jim Atherstone, District Compliance Officer, and had been told it was not feasible to change the delivery and storage location.

- C. Approve Irrigation Service Abandonment Agreement # 1590, Steve & Christine Martinez, APN 198-170-36.

Director Holbrook asked whether the property had been using District water. Bologna said the property had no access to District facilities for water delivery.

Director Holbrook made a motion to accept the Consent Calendar with the above mentioned correction. The motion was seconded by Kuil.

PASSED AND ADOPTED this 27th day of April 2010 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

The first seven items on the Action Calendar dealt with requests to Amend Irrigation Service Abandonments. Director Holbrook voiced his concern about property owners that knowingly use District water when they have signed Service Abandonments. He said he wants to change the District's policy to include repayment of water used by those who have signed Service Abandonments, before we approve Amended Service

Abandonments for those properties. Director Kamper pointed out that with the policy approved last year, all properties signed back on with amended service abandonments are considered second class and will have restricted use of water in drought years.

Item #1, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 1525 for Glenn & Lorraine Fredriks, APN 226-150-04

Item #2, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 1246 for Glenn & Lorraine Fredriks, APN 226-150-06.

Item #3 Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 1206 for John & Dolores Mostowski, APN 249-200-14.

Item #4, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 1204 for Ron & Sue Mostowski, APN 249-200-12.

Item #5, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 0091 for Ripon Cemetery Assn. Inc., APN 228-110-05.

Item #6, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 1129 for Allen & Janis Sipma, APN 226-150-17.

Item #7, Consider approval of Agreement to Amend Irrigation Service Abandonment Agreement # 248 for Peter & Judith Postma, APN 257-270-30.

Motion by Kuil to approve Items 1-7 as submitted. Motion was seconded by Roos. The motion passed 4-1 with Holbrook voting no.

Item # 8, Accept bid from Aqua Proof Inc., to re-caulk drying bed #4 at the WTP. Bret Beaudreau, Maintenance Supervisor addressed the Board. He thanked Sam Bologna and Steve Emrick for all the help they gave him in the bid process. He then gave a brief description of the project. He explained that the original caulking has deteriorated to the point that the beds could begin to leak. To keep in compliance with the Regional Water Quality Control Board it is advisable to replace the caulking in the beds. The Operating expense budget has money that is earmarked for the repairs. Four bids were submitted. Aqua Proof Inc., from French Camp, submitted the lowest bid. Beaudreau recommends accepting Aqua Proof Inc. bid of \$21,400.00. Kamper asked if there is a warranty on this work. A representative from Aqua Proof in the audience answered that there is a 2 year warranty on the caulking.

Shields told the Board that the bid came in lower than the budgeted amount and suggested that the Board consider authorizing staff to work with the contractor on caulking a second sludge bed this year.

Motion by Schulz, seconded by Roos to accept the bid from Aqua Proof and authorize staff to work with contractor with the possibility of doing a second bed this year. Motion passed unanimously.

Item # 9, Approve purchase of a four wheel drive extendahoe. Joe Catanzarite Operations Supervisor, addressed the Board. Joe told the Board that Ray Simons, Shop Supervisor has requested permission to replace our current 450B dozer-backhoe with a new 310SJ John Deere Extendahoe. District staff demoed several different backhoes and they recommend the John Deere. Simons also is asking the Board to approve Resolution 10-05-Q, Dispose of Surplus Equipment no Longer Necessary for District Purposes, giving him authorization to sell the John Deere 450B.

Director Schulz made a motion to approve the purchase of a new John Deere 310SJ Extendahoe from PAPE Machinery at a cost of \$77,072.69 (inc. tax) and adopt Resolution 10-05-Q, Dispose of Surplus Equipment no Longer Necessary for District Purposes. The motion was seconded by Kuil and unanimously approved.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 10-05-Q
DISPOSE OF SURPLUS EQUIPMENT NO LONGER
NECESSARY FOR DISTRICT PURPOSES**

WHEREAS, the District may dispose of equipment it finds no longer necessary for District purposes; and

WHEREAS, the following equipment is no longer necessary for District operations, is surplus to the District's needs and has been replaced:

1974 John Deere 450B Dozer-backhoe

WHEREAS, it has been determined that the equipment has a resale value of between \$4,000 and \$5,000; and

THEREFORE, BE IT RESOLVED, that the District finds the equipment surplus and authorizes the District's General Manager or his designee, to sell the equipment to the highest bidder.

PASSED AND ADOPTED this 27th day of April 2010.

Item #10, Approve purchase from Interstate Truck Center to retrofit the boom truck with a particulate filter. Catanzarite told the Board that in an effort to comply with the Air Boards requirements, we either need to replace our boom truck or retrofit. The cost of replacement would be around \$200,000 and the cost to retrofit our current boom truck is less than \$20,000. It is the recommendation of Ray Simons, that we retrofit the boom truck. The two companies that have particulate filters that burn on their own were contacted for bids. The low bid came from Interstate Truck Center, \$18,169.49. Several Board members voiced their concern that the Air Board's requirements may change. Schulz motioned to approve the purchase of the particulate filter, to retrofit the boom truck, from Interstate Truck Center at a cost of \$18,169.49, if it is found to be required by the Air Board. The motion was seconded by Holbrook. The motion was approved 4 – 1 with Roos opposing.

Item #11, Adoption of connection and water service fees for the Division 9 Project service area. Sam Bologna reminded the Board that at their October 27, 2009, the Board

had approved expanding the Division 9 Project to include the installation of spurs to all properties within the project area and had established a single connection fee for each participant. The consensus of the Board at that time was to follow the recommendation of the Ag Committee to set a \$2,500 connection fee and a tiered rate usage fee of \$30.00 per acre foot for the first 3 acre feet and \$40.00 per acre foot for amounts in excess of the first 3 acre feet. This usage fee would be in addition to the current flat fee that everyone in the District who receives surface water pays. Bologna told the Board that in accordance with Proposition 218, we will be giving written notice to each landowner subject to the proposed fees. The notice will be sent 45 day in advance of a public hearing to be held in consideration of any written protests filed against adoption of the fee. If a majority of those receiving notice do not file written protest, then the charges can be adopted. The Board asked how many landowners are involved. Bologna said there are approximately 75 landowners in the Project area. Steve Emrick said that it is important that landowners understand the user rates before we continue in the bid process. Motion by Holbrook, seconded by Kamper to set the user rates as described above and proceed with the Proposition 218 process. The motion passed unanimously.

General Managers Report:

- 1). May 4-7, ACWA Conference in Monterey, celebrating 100 years with special recognition of the five founding agencies: **Alta, Modesto, Oakdale, South San Joaquin, Turlock**
- 2). Will be speaking at Manteca Library on May 3 for the League of Women Voters who have come out against Proposition 16.
- 3). Have begun testing the Donnell's Power Plant. Recognized the great job Dan Pope has done in the whole process.
- 4). San Luis Delta Mendota have indicated that they will not need our water this year because they anticipate receiving 30-35% of their Federal water. Not sure if this is a price negotiating tactic or not.
- 5). One Voice Trip to Washington DC, April 18-22. Trip was good and that we had good access to our representatives in Washington. He spoke to Jerry McNerney concerning funding for a connection between the Water Treatment Plant and the City of Ripon and also a Class 1 Bike Lane connecting Manteca & Ripon. McNerney said he would ask for funding for both projects.
- 6). Handed out SSJID 7 Day Water Usage Reports. No surprise water usage is down from last year at this time, due to the rain.
- 7). Handed out "Save the Stan" brochure which is a public education effort of SSJID and OID.

The following Structure Permits were approved:

- 1). Douglas Ludlow, APN 229-260-05, to install a sump with appurtenant sprinkler pump on Lateral "B-15" @ Sta. 43 +/-.
- 2). Marleta Fritz/Debbie Hunt, APN 257-270-29, to install one 30" 2 way valve on Lateral "Ufa" @ Sta. 18 +/-.

- 3). Wai K Lau, APN 257-270-55 & 56 to tap into boxes on Lateral “Ufa” @ Sta. 2 & 7 +/-

The following Structure Abandonments were approved:

- 1). Ison Inc., APN 228-040-01, to abandon 36” private valve installation located on Lateral “T” @ Sta. 226 +/-.
- 2). Mary Gallo, APN 245-080-25, to abandon 36” District C structure installation located on Lateral “Kab” @ Sta. 55 +/-.

Water Treatment System Manager’s Report:

- JDH Corrosion Control Specialist has now completed their study of the transmission line and pump stations. They found a few areas that will need to be repaired.
- All emergency breathing tanks have undergone bi-annual testing
- On April 28, we will start an ammonia feed to the City of Tracy water supply. This is an annual event, done at Tracy’s request to stop the forming of THM’s.
- Plant staff is installing two new sample points to the Woodward Reservoir sampling plan. This is being done to better profile our raw water.
- Finance & Administration Dept. Manager, Bere Lindley is working with WTP staff to modify bill paying procedures in an effort to make it more efficient and timely.

Utility Systems Director Report:

Don Battles handed out a report listing all the District pumps, showing the rates and annual energy costs associated with them.

Directors Reports:

Director Roos

- Had several questions concerning the financial reports in the March Monthly Report. Bere Lindley said he would find the answers for him.

Director Kuil

- Asked Bere Lindley what “prepayments” were as listed on the financial reports. Lindley replied they were expenses that we pay in advance of use, such as insurance or certain taxes.

Director Holbrook

- Asked about looking at better interest rates on our Long Term Liabilities. Emrick said he believes we are locked out at this point.

Director Kamper

- Asked how water deliveries were going. Catanzarite replied that they are picking up some.

- Asked how many properties were involved in the Moisture Monitoring Program this year? Sam said he would get that info to him.

President Kamper called for closed session. General Counsel, Emrick stated the Board will discuss the following items in closed session.

- a. CONFERENCE WITH LEGAL COUNSEL-Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9- 2 cases
- b. CONFERENCE WITH LEGAL COUNSEL-
Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 - 1 case
Various water quality proceedings before State Water Resources Control Board—Delta Flow Criteria, San Joaquin River Flow Objectives
- c. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: APN 208-070-35
Agency Negotiator: General Manager
Negotiating Parties: District and current property owner
Under Negotiation: Price and Terms of Payment

Property: APN 198-030-08, 15
Agency Negotiator: General Manager
Negotiating Parties: District and Union Pacific Railroad
Under Negotiation: Price and Terms of Payment
- d. CONFERENCE WITH LEGAL COUNSEL-Existing litigation
Subdivision (a) of Government Code Section 54956.9
-PG&E General Rate Case 2011- CPUC A.09-12-020

- OID & SSJID v. US Department of Commerce US District Court Case No. 1:09-cv-2452.
- e. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Shop
Supervisor Government Code Section 54957

Upon returning from closed session, General Counsel, Emrick said there was no reportable action taken.

There being no further business to come before the Board it was moved by Director Roos, seconded by Director Schulz, and unanimously carried to adjourn to May 11, 2010 at 9:00 a.m.

ATTEST:

Cheryl Burke, Executive Secretary