

Manteca, California  
August 10, 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 no public comment President Kamper asked the Board to consider the Consent Calendar Items.

#### CONSENT CALENDAR

- A. Warrants of \$462,931.00 and payroll of 478,605.66
- B. Regular Board Meeting Minutes of July 27, 2010.
- C. Approve Irrigation Service Abandonment #1594, by and between SSJID and Jerald & Marianne Treat for APN 202-220-10, 3.04 acres.
- D. Adopt Resolution 10-09-A, Resolution of South San Joaquin Irrigation District to Apply to Local Agency Formation Commission to Annex APN 206-050-19 and 206-050-20.

#### RESOLUTION NO 10-09-A RESOLUTION OF THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT TO APPLY TO LOCAL AGENCY FORMATION COMMISSION TO ANNEX APN 206-050-19 and 206-050-20

WHEREAS, South San Joaquin Irrigation District (“District”) is subject to Division 11 of the California Water Code, and

WHEREAS, the District was organized in 1909 and currently provides irrigation and drainage services throughout the approximately 72,200 acres within its existing service territory; and

WHEREAS, the contiguous, 40 acre parcels described as San Joaquin County assessor’s parcel numbers 206-050-19 and 206-050-20 (“Subject Property”), are located outside the boundaries of the District, but surrounded by land within the District; and

WHEREAS, the owners of the Subject Property are Darrell A. Voortman, Eunice F. Voortman, Paul Voortman, Dirk Lawrence Dykxhoorn, Donna Marie Dykxhoorn and Dirk Laurens Dykxhoorn (“Owners”) and they have requested that the District annex and serve the Subject Property; and

WHEREAS, the Board finds that because the Subject Property is surrounded by land currently within the District's service territory, no longer has a reliable source of water which was the reason it was excluded from the District in 1912, can be readily served by adjacent District irrigation facilities, it is in the public interest that the Subject Property be annexed to the District; and

WHEREAS, the District may submit an application to the San Joaquin Local Agency Formation Commission ("LAFCo") to annex the Subject Property; and

WHEREAS, notice specifying the date, time and place of the meeting at which this Resolution is to be considered has been given as required by Government Code section 56654; and

WHEREAS, the District has prepared an application to LAFCo to annex the Subject Property that the Board finds satisfies all of the elements required by the California Government Code, including Sections 56653 and 56700, and

NOW THEREFORE, BE IT RESOLVED that:

1. The District shall submit an Application to LAFCO as required by California Government Code, including sections 56653 and 56700, requesting that LAFCo approve the annexation of the Subject Property subject to the terms and conditions in the annexation agreement and
2. Its General Manager is authorized to execute and deliver to LAFCO the Application and supporting documents as may be necessary, to make such changes to such documents as the District's General Manager finds to be necessary, to submit such other documents as LAFCo may request from time to time to process the Application and to pay the appropriate administrative fees to file and process the Application.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Motion to accept the Consent Calendar as presented was made by Kuil and seconded by Holbrook.

Motion passed and adopted this 10<sup>th</sup> day of August, 2010 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

Item #1: Request by Frank Avila, Telemetry Systems Supervisor, for authorization to purchase two replacement actuators for the MDC. Five years ago the District began replacing the A-1 actuators on the MDC. To date, 10 actuators have been replaced. Avila explained that the old actuators are wearing out and are no longer OSHA compliant. With the purchase of two new actuators, parts from the A-1 actuators being replaced will be used to repair the remaining A-1's. Director Schulz asked if the

performance of the new actuators is better than the A-1's. Avila said yes they perform well and they are much easier to install and maintain. Director Kuil asked if it would be beneficial to purchase more than two. Frank said yes but that his current budget would not allow him to purchase more. After more discussion, the Board concurred that purchasing five new actuators would be in the District's best interest. Shields said that the Board would have to approve a modification to the budget to allow for the increase. Director Kuil made a motion to approve a modification to the District's current budget to allow for the purchase of five new actuators from Rotork Inc. at a cost of \$5,986.00 each. Motion was seconded by Roos and unanimously approved.

Item #2: Bill Hubkey, WTP Manager approached the Board concerning the need for repairs on the Woodward Reservoir log booms. Hubkey told the Board that the boom has separated again and needs to be repaired. He said he has received two quotes to repair the existing system, but because of the frequency of the failures, he would like to look at other options. Hubkey asked the Board to grant the GM authority to consider alternatives to the existing system and authority to negotiate a price for repairs with a cost not to exceed \$84,000, subject to Stanislaus County paying half the cost. Motion by Schulz, seconded by Holbrook to approve giving the General Manager authority to negotiate a price not to exceed \$84,000 to repair the log booms, subject to the County paying half the expense. Motion passed by majority, with Roos abstaining.

Item #3: Approve request by the City of Ripon to encroach upon a portion of the Lateral "U" Easement with a 12" non-potable water line. Sam Bologna said that the City's project runs along Manley Road affecting the District's Lateral "U" easement. The water line will be crossing over our lateral with a 12" clearance. He explained that because we currently do not have a Master Encroachment Agreement with the City this individual agreement has been prepared. Bologna stated that he has asked the City to revisit the possibility of signing a Master Encroachment Agreement similar to the agreements we currently have with the Cities of Manteca and Escalon. Motion by Holbrook, seconded by Roos to authorize signature of an Encroachment Agreement for Lateral "U" crossing with the City of Ripon. Motion was unanimously approved. Kamper asked Bologna to continue working with the City on a Master Encroachment Agreement.

The Board President asked for Directors Reports.

Director Roos reported that he attended the San Joaquin River Group Authority Meeting in Turlock on July 30. He commented on various issues that are pending before the State Water Resource Control Board.

Director Kuil reported that he and Director Holbrook went on a tour of State and Federal Pumping Facilities sponsored by ACWA. The tour took place on August 9, starting at Byron Bethany Irrigation District. He said it was very educational and he especially enjoyed the Tracy Fish Collection Facility.

Director Holbrook report:

1. Concurred with Kuil that the tour was worthwhile and he enjoyed learning more about the San Luis & Delta Mendota Water Authority Pumping Facilities.
2. Reported on the Tri-dam Advisory Meeting held August 3<sup>rd</sup> at OID.

Director Kamper asked for Hubkeys' Managers Report at this time. Hubkey gave the following report:

- The new tractor has been shipped from the factory in Bismark, SD and is on-route.
- The Plant lost power on August 7<sup>th</sup>. The emergency generator ran and as a result the Zenon HMI had to be reprogramed
- Plant staff has shutdown DAF #4 to start cleaning out sludge buildup.
- Plant staff has finished all RMP work at the Tracy Booster Station. All documentation has been submitted to San Joaquin County for review.
- The damage to the air release valve at the M-2 pump station has been repaired.

Jeff Shields, General Managers' report:

1. Monday evening, August 9, the State legislature ruled to move SB565 to the November 2012 ballot.
2. The District now has a Federal power allocation from WAPA (Western Area Power Association, thanks in large part to the efforts of Don Battles.
3. Handed out the Tri-Dam Daily Report and the District's Weekly Water Use Report.
4. He & Steve Knell met with Montgomery Watson on Thursday.
5. Attended SJ County Farm Bureau Water Committee Meeting with Steve Knell
6. Handed out draft letter to California Natural Resources Agency concerning the Bay Delta Conservation Plan (BDCP). The letter doesn't show opposition or support for the proposed canal, it just asks that our water needs are met. Asked if the Board would like to have the issue of being included in the signature block on the next Board agenda. The consensus of the Board was yes.
7. Attended the Prop 16 workshop in SF. The workshop chronicled how Prop 16 was defeated.
8. Upcoming meeting, "Uncertain Waters-Navigating California's Water Priorities." The meeting will be held at the Cesar Chavez Central Library in Stockton, on Saturday, August 28 at 1p.m.

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  
California Government Code Section 54656.8  
Property: Water  
Agency Negotiator: General Manager  
Negotiating Parties: District and City of Ripon  
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.

Upon returning from closed session, it was announced there was no reportable action taken.

There being no further business to come before the Board it was moved by Director Holbrook, seconded by Director Kuil and unanimously carried to adjourn to August 24, 2010 at 9:00 a.m.

ATTEST:

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Cheryl Burke, Executive Secretary