

Manteca, California
December 15, 2009

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 Secretary/Manager Shields, District Counsel Emrick, Engineering Department Manager Bologna, Utility Systems Directors Battles, Communications Coordinator Saylor, Executive Secretary Burke and Water Treatment Plant Manager Hubkey,

President Kamper called the meeting to order and asked for public comment:

Mr. Jerry Barton, Ripon spoke in favor of the District takeover of PG&E's retail power system and said he hoped it would include the area adjacent to the river which is outside the District.

Mr. Gorman Houbein of 2010 French Camp Road said he opposed SSJID taking over PG&E because as a former PG&E employee he gets a 25% discount currently.

President Kamper thanked the parties for their comments and asked the Board to consider approving the Consent Calendar items as presented.

CONSENT CALENDAR

- A. SSJID warrants \$1,070,278.10 wires \$164,933.42 and payrolls of \$307,129.94.
- B. SSJID Regular Board Meeting Minutes of November 24, 2009.
- C. Accept the following agreements for current District pipeline projects: Manual Medeiros, APN 177-480-73, Lateral "Qo", agreement to transfer irrigation facilities, Grant of Easement, Grant of Easement for Access. Herman Van Laar APN 226-130-32, Lateral "Wc", agreement to transfer irrigation facilities , Grant of Easement, Structure Permit for three 30" valves. J-R Properties APN 240-020-07, Lateral "Qo", Agreement to transfer irrigation facilities. Grant of Easement. Director Holbrook pointed out that the APN number that is on the agenda packet was different than the plat in the packet, it should end in 15, not 07. Bologna agreed, 15 is correct as stated on the plat. Also, some of the documents were missing. Bologna handed out the missing documents, said he did not have time to get them in the packet Friday.
- D. Approve payment of 2010 California Special Districts Association Membership Dues \$4,088.00.
- E. Approve payment of 2010 ACWA Dues of \$18,848.50. Director Holbrook asked that this item be moved to the action calendar.
- F. Adopt Resolution 09-18-P, authorizing the Sale of District property.

RESOLUTION NO 09-18-P AUTHORIZING THE SALE OF DISTRICT PROPERTY

WHEREAS, the South San Joaquin Irrigation District (SSJID) may, for valuable consideration, dispose of any property of the District which it finds to be no longer necessary for District purposes; and

WHEREAS, the District owns a fee interest in a 50 foot wide strip of land lying adjacent to the easterly boundary of San Joaquin County Assessor's Parcel Number 205-070-20 belonging to Pastor of St Patrick Church of Ripon, A Corporation Sole, and

WHEREAS, said strip of land was acquired by virtue of a deed acquisition to Stanislaus Water Company (subsequently acquired by SSJID) per deed recorded in Book "A" Volume 118 of Deeds, San Joaquin County records on February 24, 1902, being more particularly described in attached Exhibit "A"; and

WHEREAS, the owner of the above referenced parcel, hereinafter referred to as Owner wishes to acquire said parcel in order to build a proposed chapel facility on Carrolton Road and needs a portion of said strip as a dedication for a public road purposes; and

WHEREAS, there are no District facilities located within said strip and the District has no need to utilize the strip for facilities in the foreseeable future; and

WHEREAS, the Board of Directors finds that payment of the sum of \$2,500 and all costs associated with the transfer of title is valuable and adequate consideration for the conveyance; and

WHEREAS, it is in the best interest for the District to transfer its fee interest in the subject property in exchange for the established consideration; and

WHEREAS, the District's fee interests are not "surplus land" within the Government Code section 54221 (b) since the interests are not capable of park and recreational development; and

WHEREAS, the proposed conveyance is categorically exempt under the Environmental Quality Act as a class 12 project pursuant to 14 Cal. Adm. Code sections 15112 since the surplus government property does not have significant values for wildlife habitat or environmental purposes and the property is of such size and shape that it is incapable of independent development or use;

NOW, THEREFORE BE IT RESOLVED AND ORDERED THAT:

1. The foregoing findings are true.
2. The President and Secretary of the District are authorized to execute a quit-claim deed disposing of the District's fee interests in the strip of land described above to owner, without warranties of title and conditioned on owner assuming all costs associated with transfer

BE IT FURTHER RESOLVED AND ORDERED that the General Manager is authorized and directed to take all actions and execute such documents as may be necessary to accomplish the foregoing..

Motion by Director Roos, seconded by Director Holbrook, to approve the above to include corrections made.

PASSED AND ADOPTED this 15th day of December 2009 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

Consider approving quote from Holt of California to do 100 hour preventative maintenance on the WTP and Tracy Booster Station Generators. Hubkey said he received two proposals from the three requested; Holt of California \$5,996 and Industrial Electric \$3,195. Hubkey said he and Ray Simons, Shop Supervisor, recommend using Holt even though their bid is higher because it is a more complete bid. Director Kuil said if the bids are not the same you should either not accept either one or have them rebid with bid specifications. Director Holbrook said he felt we should go with the Holt bid because it was more complete and made a motion to accept the bid of Holt of California at \$4,966. Motion failed to pass, Ayes 2, Noes 3 with Directors Kuil, Schulz and Roos voting No. Motion by Director Schulz, seconded by Director Roos, to accept the bid of Industrial Electric at \$3,195. Motion Carried, Ayes 3, Noes 2, with Directors Kamper and Holbrook voting No.

Consider award of contract for Lateral “R” shotcrete project # SSJID-2009-07. Bologna told the Board the low bidder for this project was Johnson Western Gunitite Company at a cost of \$306,463. He recommended the Board authorize awarding the contract to Johnson at the \$306,463 + 10% contingency. Shields questioned how often we have used the contingency in the past? Bologna said we have rarely used it but we like to include it in case there are minor changes, then we do not delay the project, but continue working as long as the cost doesn’t exceed 10%. Shields asked Bologna to give him a detailed breakdown of each project awarded, how much was spent, and if any of the contingency was used on the projects. Bologna said he would have that information for the next Board meeting. Motion by Director Kuil, seconded by Director Schulz, and unanimously carried, to approve award of bid to Johnson Western @ \$306,463 + 10% for a total of \$337,109.

Consider awarding contract for Lateral “Qo” project # SSJID-2009-06. Bologna recommends the low bidder, Allen A. Waggoner Construction Inc., be awarded the contract. Waggoner’s bid was \$134,919.25 plus 10% contingency bringing the total maximum cost to \$148,411.18. Motion by Director Roos, seconded by Director Kuil, and unanimously carried to award the contract to Allen A. Waggoner Construction, Inc. at a not to exceed \$148,411.18.

Discussion and possible actions concerning improvements to Lateral “R” @ Louise Avenue. Bologna said he did not get bids for this project because of time constraints, but used the figures from other contractor’s bids this year and has two options:

1. Cost to install 2,300 feet of 60” pipe is estimated to be \$395,077 including the cost of the pipe.
2. The cost to line the 2,300 feet of canal is estimated to be \$153,666.

Bologna said he feels he can negotiate a price at or below the estimates above. Approximately 10% to 15% will need to be added to the above estimates as contingency to cover plan preparation costs and unforeseen costs. Motion by Director Kuil, seconded by Director Holbrook, to authorize staff to negotiate an agreement to pipe the project with the 60" pipe at a cost of \$395,077 plus contingency not to exceed 15%. Motion Carried, Ayes 3, Noes 2 with Directors Schulz and Roos voting No.

Consider approving a Master Encroachment Agreement with Verizon. Bologna said we have similar agreements with several other entities, AT&T, Comcast, Charter, Sonic, Mid, and PG&E for example. The Verizon agreement expired and we need to renew it. He recommends approval as submitted. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried to approve as submitted.

Consider approval of Amendment to Irrigation Service Abandonment 788 with Chuck Hollander, APN 245-130-23. Bologna said we do not have a line to his property at this time to provide service, so he will have to get an easement from his neighbor and put one in. Mr. Hollander is aware of this and wants to proceed. Motion by Director Schulz, seconded by Director Kuil, and unanimously carried to conditionally approve the proposal subject to Mr. Hollander obtaining the necessary easement from the adjoining landowner and obtaining a permit and paying all costs for connection to the District's facility in accordance with District specifications.

Consider approval to purchase four ½ ton pickups from Steve's Chevrolet, the low bidder of three bids submitted at a cost of \$22,323.16 per unit. Total cost will be \$89,292.64 for the four pickups. Motion by director Roos, seconded by Director Holbrook, and unanimously carried to approve purchasing the four pickups as recommend.

Reports by Directors of ACWA Conference in San Diego.

- Schulz reported that the Water Bill legislation was the main topic of conversation.
- Shields said ACWA got water rights taken out of the bill. However, Shields said he is positive it will come back in the next session of the legislature. Shields said he asked Tim Quinn, Executive Director for ACWA to write a policy for water rights and get it adopted by the members.
- Kuil agreed with Schulz and Shields, and said an interesting seminar he attended was on Fact or Fiction related to California Water Issues.
- Holbrook said the Bay Delta Committee will consider any input from the North as irrelevant. He said it was, in his opinion, a very controversial conference.
- Kamper said he enjoyed the portion on "Going Green" to save water and power. Also, he attended a seminar on Chaos Management. Additionally he said the seminar on "Demand Response" was good, where they take customers and allocate power outages. Also, the conference is a good opportunity to network with others.
- Shields said in discussions on the Bay Delta Plan, he asked about eliminating predators to increase endangered fish species. However, no one wanted to talk about predators.
- Shields said he won a door prize which consisted of two nights lodging and registration at the next conference.

Consider approval of a proposal from Provost & Prichard for Environmental Review Services. Emrick said the estimated cost is \$47,500, unless more extensive work is required. The cost will

be split with OID. Motion by Director Holbrook, seconded by Director Roos, and unanimously carried to accept the proposal from Provost & Prichard as submitted.

Consider a one year extension of the Vernalis Adaptive Management Plan (VAMP). The State Water Resources Control requested we extend the agreement one year and the USBR has agreed to the extension. The biological opinion that affects the USBR operations of New Melones will take all of the flow capacity in the Stanislaus during the VAMP pulse flow period. This has happened in other years and the District has repaid MID for making SSJID's contribution either with water through OID's Clairibel Lateral or has repaid MID or other districts making SSJID's contribution with money. We have been advised that OID has made a similar arrangement with MID for this next year. The Board's approval should be conditioned on an arrangement with OID for repayment of any flow contribution the District is required to make. Emrick recommends approval of the extension on that basis. Motion by Director Kuil, seconded by Director Schulz, and unanimously carried, to authorize extension by one year of the VAMP agreement as recommended.

Consider approval of job descriptions and staff reorganization for the WTP, Operations Department and AGM/Treasurer/Assessor/Collector position. Shields said, because of recent and/or impending retirements we have three management positions which will need consideration.

1. Assistant Water Superintendent. Shields said with the inclusion of the GPS in the pickups of water divisions and the addition of True Point software he feels the night superintendent can be moved to days and the night position eliminated. He said he may have to come back with a different recommendation, but thinks this will work.
2. Operations Supervisor, WTP. Shields said we currently have five T-5 operators including the Manager and Operations Manager. When the Operations Manager retires we will still have four. The plant is a T-5 plant and we must have one T-5 on call 24/7/365. Also, we need one T-3 on duty at all times. Shields said he wants to make two of the T-5's supervisors, and not replace the Operations Supervisor or replace the T-5's who become supervisors. This leaves us with 7 T-3's or above to run the plant. Also, the Mechanic is a qualified operator and can be used in emergencies. Director Holbrook said he is not in favor of having two T-5's as supervisors, but will go along if the majority of the board is okay with it.
3. As for the Assistant General Manager position Shields recommends a new title and job description to replace the current AGM position. The new position would be Finance & Administration Manager at a salary of \$100,000 to \$120,000 depending on qualifications of the candidates.

Shields said he recommends approval of the changes as submitted above, he said the change should result in an approximate savings of \$270,000. Motion by Director Schulz, seconded by Director Roos, and unanimously carried, to approve as submitted.

Consider authorizing payment of 2010 ACWA dues at \$18,848.50. Holbrook said he asked this be put back on the agenda. He said he felt his questions were answered at the ACWA Conference and recommends paying the fee. Motion by Director Holbrook, seconded by Director Roos, and unanimously carried to authorize payment of ACWA dues of \$18,848.50.

President Kamper asked for Manager's reports:

Hubkey reported:

- The V-3 modules we received and they have been installed. Testing will begin early in January with GE overseeing the testing.
- Tracy Booster station has moved to flow mode which means they receive 8 mgd or less which allows them to avoid using their pumps. Tracy during the summer uses 12 mgd. As a result of a suggestion by Don Battles, Tracy was able to reduce power costs by running their pumps in off peak times.
- The damaged log booms have been temporarily repaired. Cost for permanent repair is approximately \$52,000.
- The City of Manteca has activated their well site 23 blending with treated water from the WTP. This was done to help mediate arsenic levels.

Shields reported:

- The Christmas parade last Saturday night was a big success despite some problems with the generator.
- Next Monday Escalon will have a Resolution on the agenda supporting SSJID's bid for retail power.
- Reception is scheduled Thursday, December 17th at 3:00 p.m. for Tom Haggard who is retiring.
- Met Monday morning relative to Goodwin Dam 2010 budget with SEWD, City of Stockton, OID, SSJID and Tri-Dam.
- Met with the WTP Operating Committee Monday at Noon, Manteca, Escalon, Tracy, Lathrop and Ripon attended the meeting.
- Said an invasive snail was found in the Stanislaus River just below Goodwin Dam. Not a problem to us yet but could and probably will be in the future.

President Kamper asked for Directors reports.

Holbrook reported:

- The Christmas parade of lights in Manteca was great. It was well represented by the District, and Troylene Sayler, Ray Simons and others did a great job with the float.

Roos reported:

- Asked where we are with the CIT bonds? Stein said he would set up a meeting with the Finance Committee and have a full report as soon as possible.

President Kamper called for closed session. District Counsel Emrick said we will discuss items a. b. d. and g.

- a) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9. Two cases.
- b) Conference with real property negotiator. Gov. Code, S. 54656.8. Negotiating parties: District and current property owners – Albert Brocchini Farms, Inc., Circle JM Properties, and LLC. Property Description: APN 257-300-01 and APN 257-220-14. District negotiator's: General Manager & Counsel. Under negotiation: Price & Terms of Payment.
- d) Conference with legal counsel, existing litigation, Gov. Code, S. 54956.9. Deltakeeper v SSJID, Superior Court for Sacramento County Superior Court Case No. 04CS00228.

- f) Public Employment: Gov. Code S. 54957. Titles: Water Department-Assistant Water Superintendent. Water Treatment Plant: Operations Supervisor. Assistant General Manager, Assistant Secretary, Controller and Treasurer.
- g) Conference with real property negotiator. Gov. Code, S. 54956.8. Negotiating Parties: San Luis and Delta Mendota Water Authority and SSJID. Property Description: 2010 Water Transaction. District's negotiators: General Manager and General Counsel. Under Negotiation: Price and terms of payment.

Upon returning from closed session District Counsel Emrick reported there was no reportable action taken in closed session.

There being no further business to come before the Board it was moved by Director Schulz, seconded by Director Kuil, and unanimously carried to adjourn to January 12, 2010 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary