

Manteca, California
January 22, 2013

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. President Roos 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 Shields, General Counsel Emrick, Engineering Department Manager Sam Bologna, and Betty Garcia, Executive Secretary.

Director Roos asked for public comment. There was no public comment.

The Board was asked to consider the following Consent Calendar Items.

CONSENT CALENDAR

- A. Approval of Warrants the amount of \$178,571.05 and A/P Wires in the amount of \$842,086.29.
- B. Approval of Board Meeting Minutes of January 8, 2013.

Director Holbrook noted on page 3 of the minutes in the second paragraph that the word “seconded by” Director Holbrook needs to be added to the motion. He also noted on page 8 of the minutes in the second bullet, the word replenishing needs to be changed to generating. Also the sentence President Holbrook needs to be changed to President Roos. Director Holmes said that on page 8, True Care should be corrected to Tru Care. A motion was made by Director Holmes and seconded by Director Kuil to approve the consent calendar items with the corrections to the minutes as stated above.

PASSED AND ADOPTED on this 22nd day of January 2013, by the following roll call vote:

Ayes: Holbrook, Holmes, Kamper, Kuil, Roos
Noes: None
Absent: None

ACTION CALENDAR

Item #8 – Discussion of damage to MSC from rock slide and consider approval of Resolution #13-02-C authorizing emergency repairs to Main Supply Canal

Mr. Shields reviewed a power point presentation of the damage caused to the Main Supply Canal and surrounding area at Goodwin Dam. He stated that Kleinfelder has been called in to evaluate the causes of the rockslide in order to develop recommendations for the partial removal and stabilization of the rock debris generated by the failing mass. The District is not allowed to put

any of the fallen material into the river. Staff will obtain competitive bids and it is believed the approximate costs for repairs is estimated at \$200,000 to \$300,000 and the work must be completed by March 1 which is the start of irrigation season. Mr. Ron Heinzen, geotechnical engineer with Kleinfelder discussed the repair options with the Board. Director Roos expressed concerns for the people who would be making the repairs and wants to ensure their safety. Mr. Shields stated that the District Crews could do the repairs to the site but the workers would need to be pulled off their current work orders.

A motion was made by Director Kamper and seconded by Director Holmes to approve Resolution #13-02-C authorizing emergency repairs to the Main Supply Canal and authorizing the General Manager to determine with staff on the best way to proceed with the repair work

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 13-02-C**

**AUTHORIZING EMERGENCY REPAIRS TO MAIN SUPPLY CANAL
ON ACCOUNT OF DAMAGE FROM ROCK SLIDE**

WHEREAS, South San Joaquin Irrigation District (“District”) and Oakdale Irrigation District (“OID”) jointly use the Main Supply Canal (“MSC”) to transport water from Goodwin Reservoir for delivery to their irrigation and urban customers beginning in March and through October of each year; and

WHEREAS, a rock slide occurred uphill from the MSC late in the evening of January 15, approximately 1000 feet downstream from Goodwin Dam, which transported rocks of all sizes, sand, gravel, trees and other material down the hillside and into the Stanislaus River; and

WHEREAS, material from the rock slide inundated approximately 200 feet of the MSC and damaged sections of the MSC’s concrete lining; and

WHEREAS, immediate action to repair the MSC is necessary in order for the District and OID to deliver water to their customers beginning in March this year; and

WHEREAS, the District will need to engage geological, engineering, construction, and other services and rent necessary equipment to safely remove the debris from and repair the MSC, without causing injury to persons or further damage to the surrounding land and natural environment; and

WHEREAS, California Government Code section 15269 provides that projects consisting of “Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare” are exempt from the requirements of California Environmental Quality Act (“CEQA”); and

WHEREAS, Section 22050 of the California Public Contract Code permits the District to, (1)

take immediate action required by an emergency, and to procure the necessary equipment, services, and supplies for those purposes, “without giving notice for bids to let contracts”, (2) delegate to its general manager the authority to order any action authorized Section 22020(a)(1) which is summarized in (1) above, provided the District, by a four-fifth’s vote, (1) finds, based on substantial evidence in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency, (2) the District’s general manager reports to the Board, at its next meeting, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency, (3) the Board reviews the emergency action at its next regularly scheduled meeting and at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, (4) the Board initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action; and

WHEREAS, a state of emergency exists as a result of the damage to the MSC caused by the rock slide on January 15 and the need to take immediate action to stabilize the area to reduce the potential for further damage to the MSC and to the surrounding environment and to repair the MSC in order for the District and OID to provide essential water service by the start of the water season in March of this year; and

WHEREAS, the Board finds it is in the best interests of the District to authorize its general manager to procure the necessary equipment, services, and supplies for those purposes and to obtain any regulatory approvals necessary to stabilize the area and to repair the MSC without further delay and that such actions taken as a necessary response to such emergency are exempt from certain provisions of applicable federal, state and local laws and regulations, including CEQA and the applicable bidding provisions of the California Contract Code,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

1. Declares that a state of emergency exists as a result of the damage to the MSC caused by the rock slide on January 15 and the need for immediate action to stabilize the area and to repair the MSC in order for the District and OID to provide essential water service by the start of the water season in March.
2. Incorporates the other findings set forth above, each of which is found to be true.
3. Authorizes and directs the general manager to procure the necessary equipment, services, and supplies and to obtain any regulatory approvals necessary to stabilize the area surrounding the MSC as a result of the rock slide and to repair the MSC without further delay.
4. Directs the general manager to report to the Board on actions taken in response to #3 above at the next regularly-scheduled Board meeting and at each meeting thereafter until the necessary work is completed. Authorizes the general manager to take the actions described in #3 above without competitive bidding, as provided in the emergency provisions of the District’s Purchasing Policy adopted on July 10, 2012.

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 22nd day of January, 2013, on the motion of Director Kamper and seconded by Director Holmes on the following roll call vote:

Ayes: Holbrook Holmes Kamper Kuil Roos
Noes: None

Motion passed unanimously.

Item #6 - Consider request of Ron McManis to pipe a portion of Ripon Spill

Mr. Shields stated that Director Holmes met with Mr. McManis on his property to review this matter. Mr. Bologna met with Mr. McManis regarding this issue and he agreed to install a 48 inch pipe into the Ripon spill. President Roos wants to be sure that the District will not be held liable if we have to dump water onto the property and Mr. McManis said he would take full responsibility should his property be flooded.

A motion was made by Director Holmes and seconded by Director Holbrook to authorize the General Manager to amend existing agreement with Mr. McManis and agreed to have the District sign off on the road encroachment with the stipulation that a 48 inch pipe will be used for the project. The Board said the Land Swap, Driveway, and easement on the south side of the canal are still outstanding issues to be discussed and instructed the General Manager to bring a proposal back to the Board for consideration. Motion passed unanimously.

Item #1 - Update on Division 9 Project

Mr. Jeff Shaw stated most of the warranty and punch list items have been resolved. He said a contractor installed a new plug on the UNV actuator and it is now working properly. He said that Knife River repaired a box that was ripped out. He said 10% of the pipeline is at risk due to the farmland. He recommends installing AT grade boxes because the farming operations creates a high risk. Mr. Shaw said that HD Supply contacted the vendor in Escalon in regards to the vaults and as it turns out, the prices that HD Supply quoted to the District were appropriate. He said the District reserves the right to purchase materials from a variety of vendors. Mr. Shaw wants to present a “lesson learned” power point at the next Board meeting. He said there are still two outstanding punch list items which are the moisture sensors and flow meters. He hopes to have the official response from Knife River regarding these issues at our next meeting.

This item was for discussion only and no action was taken.

Item #2 – Consider budget increase in contract amount for Mintier Harnish in connection with Sphere Plan/Municipal Service Review

A motion was made by Director Holbrook and seconded by Director Kamper to authorize Mintier to continue its work on the MSR review and increase the ceiling by \$62,970. Motion passed 4 to 1 with President Roos casting a no vote.

Item #3 – Consider approval of Consent to entry of property to read and owner’s agreement to maintain flow meter, James & Dean Cadell, APN 205-070-47

Mr. Sam Bologna stated that these items generally are put on the consent calendar. Director Roos said that all exhibits need to be included with the material.

A motion was made by Director Kamper and seconded by Director Kuil to approve the Consent to Entry of Property to read and owner’s agreement to maintain flow meter for James & Deann Cadell, APN 205-070-47. Motion passed unanimously.

Item #5 – Consider approval of Job Description for Industrial/Instrumentation Technician

Mr. Thornburg presented a new job description for Division 9 and said that a 10-day posting period is required and he hopes to get the person hired by March 1. Mr. Emrick indicated that the new pension laws would apply to this position.

A motion was made by Director Holbrook and seconded by Director Holmes to approve the job description and to move forward with the hiring process. Motion passed unanimously.

Item #7 – Consider award of contract for installation of additional turnout on Division 9 pressurized pipeline

Mr. Bologna stated that Request for Proposals were sent to eight contractors to install the pressure system turnout assembly at Lyon’s Road. Three bids were received and were opened on January 15. The bids were as follows:

Fedco:	\$17,900
Mozingo:	\$19,191
Preston Pipeline:	\$21,950

Director Roos asked if the District Crews could perform this type of work. Mr. Bologna said this project was more complex because it will require crossing the road.

A motion was made by Director Kuil and seconded by Director Holbrook to award the contract to Fedco for an amount not to exceed \$17,900. Motion passed unanimously.

Item #9 – December Financial Statements

A question was asked what was the -456% Income before Capital Contributions on page FS-6. Mr. Lindley said that number had no relationship with percentages.

Item #10 – December Investment Report

Mr. Lindley presented this information to the Board but did not plan an oral presentation. He was available to answer questions.

Item #11 – Communications

Director Holbrook

- Thanked Troylene Saylor for her involvement with the Boys & Girls Club Crabfeed and thanked Jeff Shaw and Stantec for their contribution.

Director Kamper

- He addressed the conservation program's "tornado" meter/filter that wastes 5% and asked if the District could change the policy and/or specifications to encourage people for more energy efficient filters because the ones currently being used require a lot of energy.

Director Holmes

- He inquired about the progress of the Main Canal lining project.

President Roos asked for Managers Reports.

Bill Hubkey, Water Treatment Plant Manager

- He said the tests with the ACH are going well and the overall chemical usage is down. There has only been one isolated call from a citizen from the City of Manteca. The Manteca Public Works Department investigated and found it is not related to SSJID's water.
- CalTrans is beginning to move forward on the Highway 99 project concerning the District's transmission line.
- The security camera project is moving forward. The conduit will be installed at M-2 this week and Michael O'Leary will start installing the cameras soon.

Troylene Saylor, Communications

- She thanked Directors Holbrook and Roos for attending the Boys & Girls Club Crabfeed and thanked Stantec for sponsoring the event.
- Employee Appreciation Dinner is on Friday, February 1 starting at 6:30 p.m.
- The Almond Blossom Festival will be held on February 23 & 24. The District will have an information booth there.
- The Manteca Street Faire is scheduled for March.

Sam Bologna, Engineering

- Conservation Program has received 31 applications; \$758,864 committed; and two applications pending.

Jeff Shields, General Manager

- Received a draft pro forma and design criteria for a 0.198 MW capacity micro-hydro (in canal) generator proposed to be installed at Drop 5 on the Main Supply Canal. Frank Avila, Don Battles and Jeff met with the representatives from AirCon (EPC Contractor) and Natal Energy (equipment manufacturer) to review the draft proposal. There are several issues that need to be resolved before a determination of feasibility can be made. The plan calls for a 2014 installation and the District will need to work with AirCon to refine both the numbers and the schedule if and when economic feasibility is established.

- TriDam Daily Report using historical trends based on precipitation at Strawberry indicated the District should have about 200,000 AF to date of inflow for the water year and the forecast for February is continued cold and dry.
- SWRCB Phase 1 SED is out and the District is meeting with SJTA and others to put out public information as well as working with agencies, including SWRCB to address impacts.
- Met with CMUA on January 14 & 15 to review new legislative session. Water will be a major focus in the legislature with some energy issues and a press to get CEQA reform. There is a disturbing feeling in the Capital that the budget is over and there is money to spend. Not one member of the legislature spoke of paying off debt. Instead, there were announcements of several dozen new positions for the SWRCB and resource agencies to regulate timber harvesting and a ton of new spending on education.
- Rotary Superbowl Omelette Breakfast is being held on Sunday, February 3 at the MRPS Hall any time between 7 am and 1 pm.
- The Harry Van Rys Crabfeed will be held on Saturday, February 9 at the Manteca Senior Center.

General Counsel announced the Board would be discussing items 12 A, B, & D under Closed Session:

ITEM #12 – CLOSED SESSION

12. 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 LABOR NEGOTIATOR
California Government Code Section 54957.6
Agency Negotiator: General Manager and Lee Clark
Employee Organizations: IBEW’s 1245 and Management Group

- d. PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
California Government Code Section 54957
General Manager

Upon returning from closed session, it was announced that there were no reportable actions were taken in closed session.

President Roos said that open session would resume with item #4, Consider compensation adjustment for General Manager. A motion was made by Director Kamper and seconded by Director Kuil to authorize a one-time compensation payment of \$10,000.00 to the General Manager. The motion passed unanimously.

ITEM #13 - ADJOURNMENT

There being no further business to come before the Board, it was moved by Director Holbrook and seconded by Director Kamper to adjourn the meeting at 2:33 p.m. Motion passed unanimously.

ATTEST: _____
Betty Garcia, Executive Secretary