

Manteca, California  
February 11, 2003

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: DEGROOT      KAMPER      SCHULZ      ROOS      HAWORTH

Also present were Secretary/Manager Stroud, District Counsel Emrick, and Engineering Department Supervisor Bologna.

President Schulz called the meeting to order and asked for public comment.

Kevin Dayton, Government Affairs Director of the Associated Builders and Contractors, Golden Gate Chapter, Dublin, California addressed the Board. He said relative to the South County Water Supply Program Bidding Requirements, he appreciated the staff for removing paragraph "E" which required, in part, the employment of workers furnished by the AFL-CIO et.al. He said by removing this requirement it allows non-union contractors to bid and use their employees. General Counsel Emrick said that it was brought to his attention yesterday, and after discussing it with Black & Veatch, and Manager Stroud, they removed it from the requirements.

Additionally, Emrick stated it is in all our contract specifications and will be removed from them. The requirement to meet Labor Code Section 1770, Prevailing Wages will not be affected.

Dave Grainer of Auburn Construction thanked the Board for removing the paragraph from the bidding requirements, and said as a result he will bid on the project.

Kathleen Harris, who has property on the southwest corner LeRoy and North Ripon Road, said they were going to lease a portion of their property to a strawberry grower who wants to use District water. She said that she was told that was not possible. Stroud said he would investigate and call her.

President Schulz thanked those commenting and asked the Board to consider approving the Consent Calendar items as presented.

#### CONSENT CALENDAR

- A. SSJID Warrants of \$1,613,313.22 and Payrolls of \$125,645.11.
- B. Regular adjourned Board Meeting Minutes of January 28, 2003.

Motion by Kamper, seconded by DeGroot, to approve the consent calendar items as presented.

PASSED AND ADOPTED this 11<sup>th</sup> day of February 2003 by the following roll call vote:

Ayes: DeGroot Kamper Schulz Roos Haworth  
Noes: None

Consider conditional approval of plans for the Brookline Development located in Ripon. Bologna said this item was discussed at the November 26, 2002 board meeting and tabled due to concern over compensation for the “V” ditch replacement. He said Ripon has agreed to collect 200% of the estimated cost for Brookline’s portion of the replacement, and will use that money along with the money collected from Chesapeake Development to replace the ditch when Chesapeake Development signs all agreements and pays their fees. Matt Machado, Ripon’s City Engineer said when asked, why are you collecting 200%, said that if the actual cost is less, the developer’s will receive refunds. Bologna recommended the Board conditionally approve and authorize execution of documents subject to compliance with those special conditions and requirements referenced in Administrative Report item #12 as follows:

- a) Owner/developer shall dedicate new easements as required to accommodate replacement of the Canal.
- b) Owner/developer shall sign an Encroachment Agreement to cover all proposed encroachments affecting District easements.
- c) Owner/Developer shall submit improvement plans to the Engineering Department for approval and comply with all standard requirements concerning improvements to District facilities.
- d) Owner/developer shall not build or develop in District easements until replacement of the District’s canal has occurred. Approval of the development will be subject to an agreement with the City of Ripon to hold and pay funds for the installation of the new pipeline when the other areas develop and a pipeline replaces Lateral “V”.

**Motion by Haworth, seconded by Roos, and unanimously carried, to conditionally authorize approval and execution of the following:**

**1. Final Map, 2. Improvement Plans, 3. Grant of Easement, 4. Encroachment Agreement, 5 Developers Agreement, and 6. Irrigation Service Abandonment Agreement.**

**Subject to compliance with the special conditions and requirements referenced in Administrative Report item #12.**

Consider approval of plans for the expansion of the Kaiser facility located on West Yosemite Avenue in Manteca. Bologna said there are 2 ½ acres owned by Brochinni’s partnership. The existing irrigation valve that services 3 or 4 downstream users will be removed and replaced and the ditch will be relocated by the developer. Bologna recommends conditional approval and authorization to execute agreements subject to compliance with all of those special conditions and requirements in paragraph #12 as follows:

- a) Owner/Developer shall sign all required documents necessary to facilitate plan approval including an Encroachment Agreement and Structure Permit. Additionally, owner shall convey necessary private easements to accommodate the relocation of the private ditch and construct said ditch so that it is capable of handling the full head of water that is to be delivered by the District.

- b) In lieu of providing a separate access easement, the existing easement will remain and owner shall provide access gates as needed to gain access along the existing District easement.
- c) Owner/Developer shall submit improvement plans to the Engineering Department for approval and comply with all standard requirements concerning improvements to District facilities.
- d) Owner/Developer acknowledges that approval of plans does not obligate District to accept any storm water from the project and that further approval will be necessary to achieve such permission.

**Motion by Kamper, seconded by DeGroot, and unanimously carried, to approve and authorize execution of Improvement Plans, Developer's Agreement, any standard type encroachment as identified, Structure Permit for replacement of District service, and Access Easement (in lieu of providing an access easement, the existing easement will not be quit claimed so that District will have access from St. Dominics Drive. And subject to the special conditions and requirements referenced in Administrative REportitem #12 above.**

Consider request from Van de Pol Dairy to purchase a portion of the dd lateral off Lateral A"Be" easement and Structure Permits that will modify the existing service connections to the District's facilities. Bologna said Mr. Van de Pol is trying to expand his dairy wastewater removal system. He is asking to buy 550 feet of the dd line and easement from the District at \$2.00 per foot, plus administrative cost estimated at \$250 for a total of approximately \$1,350. Additionally, he wants to put in a control box so he can irrigate and mix waste water with irrigation water. Bologna said all the agreements are prepared and the water department has reviewed the request and has no problem with it. Bologna recommends approval subject to signature of the required agreements.

**Motion by Kamper, seconded by Haworth, and unanimously carried, to approve as recommended.**

Consider hiring a consultant to perform an updated seismic analysis at Woodward Reservoir. Bologna said the analysis is required by California State Division of Safety and Dams (DOSD). We have two proposals to perform the work. Geomatrix not to exceed \$48,564, and Kleinfelder \$27,000 for phase 1 and \$15,000 for phase 2, with a total of \$42,100. Phase 2 will not be started until DSOD approves the work plan developed in Phase 1. Bologna said he and Mike Gilton recommend going with Geomatrix, because they have more experience in doing this type of analysis, and since they are willing to use current information while Kleinfelder wants to develop new information. Stroud said in addition to wanting to develop new information, we had a problem with Kleinfelder's performance on the Northwest Side Project, that to date has not been satisfactorily resolved. Also, another firm who has done several seismic analyses, but, due to prior staff commitments, were unable to bid on this job, recommended Geomatrix.

**Motion by Kamper, seconded by DeGroot, and unanimously carried, to award the contract to Geomatrix at not to exceed \$48,564.**

Discussion concerning a dairy waste water program. Stroud said the primary motivation is

coming from the dairy wastewater management program requirements enforced by the Regional Water Quality Control Board, under California Code of Regulations 22562. Dairies are being forced to make considerable investments to meet the nutrient management and control requirements. Director Haworth asked that staff develop a standard for dairy sumps and that the District contribute to the cost of installation. The purpose of the sump is to 1. Allow dairy waste to be pumped into a private line. 2. Provide a direct connection to the District irrigation line for flushing and blending. 3. Prevent dairy wastewater from backing over the valve into the District line. Attorney Emrick said this could be seen as a gift of public funds since the improvements will be to private facilities and there may be no value to the District. He said unlike the sprinkler sump program, which reduces over pressurization of our pipelines, finding a need for the dairy sumps that benefits the District may not be possible. Over pressuring District pipelines does not violate State law, but discharging dairy wastes into District facilities or waterways does. Stroud noted that any new standard must not result in adding additional pressure to existing cast in place lines. Director Haworth made the following motion to come up with a plan to reimburse dairies \$2,500 or 50% of the cost whichever is less. After discussion Director Haworth withdrew his motion subject to staff coming up with a plan that is legal. No action was taken.

Discussion and possible action concerning equipment replacement. Stroud said relative to replacing our D4 Cat our operator, Tim Woods, tested a John Deere, Case, and Cat per the Board's instructions. Woods liked both the John Deere and the Cat for being the easiest to operate, most productive, especially with less experienced operators, and having the best view of the blade tips for the close work so common with the District. He said the Case has too many levers which makes highly productive operation more complicated and more difficult. Shop Supervisor Simons recommends the Cat because availability of parts and service is better than John Deere. After discussion the following action was taken: **Motion by Kamper, seconded by Roos, and unanimously carried, to purchase the used 1999 Cat D4C from Holt Bros of California for \$64,411, less the rent credit.**

Consider hiring Rockin-R Grading & Excavating Company to clean the French Camp Outlet Canal (FCOC). Stroud said we have two equipment options, reach of 55 feet or 60 feet and could rent them with or without operators. Haworth said we should go with the 55 because the 60 has a smaller bucket, and thus will take longer to do the work. After discussion the following action was taken: **Motion by Haworth, seconded by Kamper, and unanimously carried, to rent the 55 foot long reach from Rockin R Grading & Excavating, with operator at \$125 per hour for a total estimated out of pocket cost between \$12,000 and \$15,000.**

Discussion and possible action to revise the 2003 Capital Budget adopted December 17, 2002. Stroud said the original budget was \$6,961,500. The recommended revised Capital budget is \$4,460,768, which is a more sustainable level of funding. **Motion by Roos, seconded by Haworth, to approve the revised budget of \$4,460,768. Motion carried, with 4 Ayes, 1 No, with Director Schulz voting No.** The Board indicated they may wish to consider additional capital items at a later date.

President Schulz called for Manager's and Director's reports. Stroud reported the following:

The 2003 water season is approaching and asked about a start date. He said currently inflows to Melones are at 200,000 acre feet, with an estimated 200,000 still in snow pack. The board discussed a start date and determined to start the 2003 irrigation on February 24<sup>th</sup>, that unless we get half inch of rain by the 24<sup>th</sup>.

Water in the district well is fine, but water coming of the pressure tank, replaced by Don Pedro Pump a few months ago, continues to be contaminated. Don Pedro has attempted to eradicate the contamination, but after several attempts, decided to replace the tank with another new one this week.

Gilton and Morrow went through the tunnels on the Joint Main and Main Supply Canals. They found rock collapsed at the east end of the long tunnel. We will remove the fallen rock this week and make permanent repairs after the water season.

City of Manteca found a large void on the north side Yosemite Avenue where the FCOC crosses. The void has been filled to stabilize the road until the culvert replacement project is under construction.

Thanked Cheryl Burke for her excellent work on developing fun sheet books for Division Managers/Ditch tenders. The run sheets now include owner lists in order by rotation sequence, parcel maps, and fold out District facility maps. This will be especially helpful for new ditch tenders and relief ditch tenders.

Relative to the proposed mining project on River Road and Harrold. We met with them, and discussed a variety of options, but as of now we have not been advised how they plan to resolve the situation. If the item shows up on the San Joaquin County Planning Commission agenda, we will attend the meeting in order to present our case.

Relative to the Water Treatment Plant:

Lathrop has withdrawn their offer to sell or lease water to the City of Stockton or anyone else, at least for the foreseeable future.

The San Joaquin County Public Works Department backtracked on agreements negotiated over the las several months regarding road closures and road repairs. These additional restrictions and conditions will cost about \$7,700,000 if allowed to stand. The city managers are going to meet with the County Administrator, Manny Lopez, to try to resolve this.

Panagraph is proposing a website to show the status of work and help inform the public about construction progress and detours. For example, road closures, areas where construction is taking place, etc. Due to reuse of outreach materials developed earlier in the project, costs will not exceed amounts in existing contracts.

Directors and staff were given copies of the latest newsletter for the project.

Tim O'Laughlin asked on behalf of OID to purchase any available water this year.

Relative to retail power, we will have a closed session presentation on March 11<sup>th</sup>.

Our share of the coordinated effort on resolving the Magnacide issue last summer and fall, part of the water quality program of with the San Joaquin River Group was \$13,733.97 which was paid today.

Relative to developing the Master Storm Drainage Agreement with the City of Manteca, we have a meeting scheduled for February 19<sup>th</sup>.

Relative to the offer to the City of Ripon of \$115,000 for the Ue line, they asked to weaken the liability provisions and to change the upfront funding, but we declined.. We should have an answer from them by the 18<sup>th</sup> of February if they do not accept the offer. Engineering will begin developing plans and specifications to close the line to assure future safety.

The Sprinkler Sump reimbursement program sunsets the end of February 2003.

Met with the Farm Bureau on January 28<sup>th</sup> to discuss their easement concerns. They will provide some suggestions for language changes. If the changes are acceptable, we will include them on any remaining easements that need to be acquired.

Met with Cal PERS on health care on February 4<sup>th</sup>.

Ripon Chamber of Commerce has a mixer tonight.

The River Group meeting on the ag water process, Magnacide Training for four employees, and Review and Comment on City of Manteca Draft 2003 General Plan Update are all on February 12<sup>th</sup>.

Interviews for Construction Manager on the Treatment Plant Project will be held February 21<sup>st</sup>.

The Rotary crab feed is on February 22<sup>nd</sup>. Tickets are still available.

River Group Committee meeting is still tentatively scheduled for February 28<sup>th</sup>.

Stroud read the following Structure Permits into the record:

Henry Dias, APN 205-070-09, to install sump with appurtenant sprinkler pump on Lateral Bk, Station 220 +/-.

Manuel DeCosta, APN 197-120-47, to install 24" valve and structure on Lateral Qg, Station 270 +/-.

Steve Arnold, APN 247-040-11, to install a sump with appurtenant sprinkler pump on Lateral Oa, Station 51 +/-.

Theodore Poulos, APN 228-030-34, to install sump with appurtenant sprinkler pump on Lateral T, Station 280 +/-.

Carmen Pryor, APN 247-020-25, to install sump with appurtenant pump on lateral Kd, Station 61 +/-.

Robert Longstreth, APN 247-200-21, to install sump with appurtenant pump on Lateral H, Station 184 +/-.

Laurino E. Pontes, APN 249-120-29, to replace 24" valve with 8" drain valve on Lateral D, Station 50 +/-.

Kamper asked about the bridge on the R line just off Louise. He said it is not passable. Stroud said it will be completed shortly.

Kamper said Hugo Van Vliet's pipe in his back yard leaks, and has for 10 years. Stroud said he would look into it.

President Schulz called for Closed Session relative to litigation matters. District Counsel Emrick said we will be discussing items a) and c) in closed session.

- a) Conference with legal counsel, existing litigation, Gov. Code, S. 54956.9. One case. Delta Keeper vs. OID.
- c) Conference with real property negotiator. Property: San Joaquin County Assessor's Parcel Numbers; 213-320-01, 197-020-28, and 208-054-04. Negotiating parties: SSJID and its agents, Grant Kreinberg, Steve Long, and Steve Emrick. Current Owners, Leachman, Celli and Scadden et al., and Machado.

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 DeGroot, seconded by Kamper, and unanimously carried, to adjourn to February 25, 2003 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary

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