

Manteca, California
February 23, 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 KAMPER SCHULZ ROOS
ABSENT: KUIL

Also present were Secretary/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 \$1,023,438.68.
- B. Regular Board Meeting Minutes of February 9, 2010.
- C. Approve the following Service Abandonment Agreements:

Agr #	Acreage	Assessors Parcel #	Owner
1585	.84	227-020-03	Melissa Knox
1586	8.00	224-430-41	MUSD

Motion by Director Schulz and seconded by Director Roos to approve the Consent Calendar as presented.

PASSED AND ADOPTED this 23rd day of February 2010 by the following roll call vote:

Ayes: Holbrook Kamper Schulz Roos
Noes: None
Absent: Kuil

General Manager Shields told the Board that the first item on the action calendar did not require action but was for Board information only.

Item 1: Frank Avila, Telemetry Systems Supervisor and Alan Vallow of BPL Global gave a presentation to the Board to show how the Pump Automation Project works. Frank explained that the pumps now can be turned on and off, remotely. Each pump can be monitored on lap top computers, where the pump program will keep track of the pumps running hours, CFS and the salinity of the water being pumped. Frank also explained that through this program we can keep track of how efficiently the pumps are running and it will enable staff to diagnose problems remotely. Mr. Vallow told the Board that, as he developed this program (Power SG enerView), he customized it to meet the specific needs of the District. Director Roos asked how much money we spend on energy running District pumps each water season. Don Battles, Utility Systems Manager told the Board that he would get those numbers by next meeting. President Kamper thanked Vallow & Avila for the presentation.

Item 2: Sam Bologna, Engineering Dept. Manager addressed the Board concerning Union Pacific Railroad's proposed Intermodal Facility Expansion Project. Bologna explained to the Board that UPRR is in the process of submitting plans to San Joaquin County for the expansion of their Intermodal Facility located south of Roth Road. Because the proposed project will affect a number of District facilities, including property owned in fee, the County requires that they obtain a consent from the District before submitting their plans.

Construction on this project is not set to begin until 2011. John Holbrook asked if the FCOC would be protected. Bologna replied that issue will be addressed further along in the process, when plans are available for review. Roos asked if the existing facility currently drains into the FCOC. Bologna answered that yes it does, with the same requirements as the City of Manteca has for drainage. Sam said he is asking the Board to authorize staff to submit a consent letter to the County subject to General Counsel's review and approval. After a brief discussion, Jeff Shields suggested that the issue be tabled until the next meeting. The Board agreed to take no action at this time.

Item 3: Authorize signature on an Acceptance of Grant Deed and Grant of Easement. Shields reminded the Board that the District has an agreement with Albert Brocchini Farms Inc. to purchase seven acres of land in connection with the Division 9 Project. The land is currently in escrow, in the meantime we are working out title exceptions and the closing documents need to be signed. John Holbrook said that the attached Exhibit "A", legal description of the property is incorrect. Bologna said we will have that corrected. Steve Emrick said that we will take the description back to the surveyor for correction before having them recorded. He said staff is specifically asking the Board to authorize the President and Secretary to sign an Acceptance of the Grant Deed to the property and the Grant of Easement. Motion by John Holbrook and seconded by Bob Schulz to authorize the Board President and Secretary to sign the Acceptance of the Grant Deed and the Grant of Easement for the land purchase. The motion was unanimously approved.

Item 4: Renew partnership with the City of Manteca in its Stormwater Quality Outreach Program for 2010. Troylene Sayler, Communications Coordinator, addressed the Board and introduced Koosun Kim, PE the Associate Civil Engineer from the City of Manteca. Ms. Sayler explained that Mr. Kim is the individual that is coordinating the City of Manteca's Stormwater Public Outreach Program for 2010. In 2009 we entered into a partnership with the City of Manteca at a cost of \$11,000, to participate with them in its Outreach Program. Ms. Sayler told the Board that the partnership was mutually beneficial. She said that some of the benefits of this partnership are good public relations with the Manteca community and increased public education and knowledge on storm water quality issues. Ms. Sayler said she is asking the Board to approve entering into a second year of partnering with the City of Manteca in a Stormwater Quality Outreach Program at a cost of \$11,000. She also told the Board that this amount was included in the Engineering Department's approved 2010 budget. Director Holbrook commented that this is a good program and he made a motion to approve the request, Director Roos seconded the motion. The motion to approve entering into a partnership with the City of Manteca for a Stormwater Quality Outreach Program was passed 3 to 1, with Kamper opposing.

Item 5: Adopt Resolution 10-02-E, to Oppose Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers," California State Ballot Petition 09-0015. President Kamper, noting that there were representatives from PG&E in the audience, asked if anyone would like to comment. There being no comments from PG&E or the public, General Manager Shields proceeded to explain what Proposition 16 is asking for. He told the Board that proposition 16 "clearly serves to protect PG&E's monopoly" in the power industry. Roos stated that it did not seem fair that PG&E can spend so much money to promote this Proposition and the District as a Public entity cannot. Shields concurred but also stated that the District can spend public funds to educate the public as to how Proposition 16 could affect them. Shields said that is why he and Troylene Sayler are asking the Board to adopt Resolution 10-02-E, "Opposing the Initiative Known as Proposition 16". The Resolution is written in opposition to Proposition 16 and gives District staff authorization to "appropriately and proactively inform the citizens within its service territory regarding the ballot petition in accordance with California Fair Political Practices Commission regulations". Motion by John Holbrook and seconded by Bob Schulz to adopt South San Joaquin Irrigation District Resolution No. 10-02-E, Opposing the Initiative Known as Proposition 16, for the purpose of informing the public.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 10-01-E
OPPOSING THE INITIATIVE KNOWN AS PROPOSITION 16
(CALIFORNIA STATE BALLOT PETITION 09-0015)
THE “NEW TWO-THIRDS VOTE REQUIREMENT OF
LOCAL PUBLIC ELECTRICITY PROVIDERS”**

BE IT RESOLVED by The Board of Directors of South San Joaquin Irrigation District as follows:

WHEREAS, the above captioned California State Ballot Petition 09-0015 (“Proposition 16”) was qualified for the June 8, 2010 State ballot on January 12, 2010, after PG&E spent \$6.5 million of shareholder funds collected from ratepayers to collect the necessary signatures, and

WHEREAS, if enacted, the South San Joaquin Irrigation District’s Utility Systems Department would be subject to the provisions of Proposition 16; and

WHEREAS, certain provisions of Proposition 16 could have adverse impacts on South San Joaquin Irrigation District’s ability to effectively provide economic and reliable electric service to customers of the cities of Manteca, Escalon and Ripon; and

WHEREAS, a South San Joaquin Irrigation Staff Report which included a recommendation to oppose Proposition 16, was heard by the Board of Directors at its regularly scheduled meeting on February 23, 2010; and,

WHEREAS, the Board of Directors reviewed and approved the recommendations contained in the Staff Report, which included the recommendation that the Board oppose Proposition 16;

NOW THEREFORE, BE IT RESOLVED: that the Board of Directors of South San Joaquin Irrigation District hereby opposes the Initiative known as Proposition 16 (California State Ballot Petition 09-0015) and authorizes District Staff to provide copies of this Resolution upon request.

BE IT FURTHER RESOLVED that the Board authorizes staff to appropriately and proactively inform the citizens within its service territory regarding the ballot petition in accordance with California Fair Political Practices Commission regulations.

PASSED AND ADOPTED this 23rd day of February 2010 by the following roll call vote:

AYES: Holbrook Kamper Schulz Roos
NOES: None
ABSENT: Kuil

Item 6: Discussion concerning the start of 2010 Water Season. After a brief discussion a tentative start date of March 19 was set, with the understanding that a firm date would be made at the next Board meeting on March 9.

After a short break President Kamper called for Managers Reports:

Jeff Shields, General Manager reported

- He has tickets for those wishing to attend the Manteca Rotary Crab Feed held in honor of the late Harry Van Rys.
- Friday, February 18 attended prehearing conference at the CPUC in San Francisco in regards to the PG&E General Rate case. Reported we are acting as interveners in the case.
- This coming Thursday there is a hearing set before the legislature to discuss Proposition 16.
- Attended a Town Hall meeting at Del Webb Tuesday night.

- The Annual CMUA conference is scheduled for March 23-26. There may be a conflict with the March 23rd Board Meeting.
- Bere Lindley, Finance & Administration Department Manager, will be starting on Monday, March 1, 2010.
- Reported on the February 18 incident @ the Islamic Center in Manteca. Our crews were working on Lateral Y pipeline replacement project on February 18. We were digging in an area that had been cleared by PG&E and properly tagged by underground service alert when we hit a PG&E natural gas line. Our crew called 911 first and then PG&E. The fire department responded quickly, but it was over an hour before PG&E arrived at the site. This is the second incident we have had in recent days, where we have damaged a PG&E facility due to PG&E incorrectly marking their facilities for USA tagging. This is a risk to both our contractors and employees.

Bill Hubkey, WTP Manager reported

- The Plant is shut down today for two reasons: first, because the City of Manteca is not taking our water so that they can run and sample their production wells and secondly because we are installing “heaters” to stop condensation in the solar metering panel and a sump pump in the tri-dent solar switch.
- The mechanical portion of the “POP” Project is very near completion. The storm drain project is complete and tested. Tesco will be on site in mid March to finish up the instrumentation portion of the project.
- The mandatory annual sludge samples needed for sludge disposal have been taken.
- Siemens Fire Protection will be making changes to the wiring on the fire control panel to open both front gates in the event of a fire, to allow emergency equipment in and staff out.

Don Battles, Utility Systems Manager

- PG&E has paid the \$214,489.79 due us for solar power production from 9/16/09 to 1/16/10 and have reported to us that their data entry problems have been corrected.

Troylene Saylor, Communications Coordinator

- Reminded the Board that we will have a booth at the Annual Almond Blossom Festival, February 26-28.

Kamper asked for Directors comments:

- Director Holbrook reported on the Advisory Water Commission Meeting held on February 17, 2010. a). There is a Flood Management Tour scheduled for May 12-13 of the Lower San Joaquin area. b). SJ County “General Plan Update Water Resources Information” may target areas within SSJID’s boundaries as one of their Water Recharge Study areas, because of our sandy soils. c). SJ County Flood Control and Water Conservation District has released it’s Fall 2009 Groundwater Report. d). Additional funding is needed by the 5 Delta Counties Coalition (Contra Costa, Sacramento, San Joaquin, Solano & Yolo) in their fight to save our water and water rights. e). Hispanics for Political Action and the Coalition for Mexican American Associations in associations with UOP is sponsoring an informational forum on water issues on March 6.

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 – 2 cases

Upon returning from Closed Session, it was reported that no reportable action was taken in closed session.

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

ATTEST:

Cheryl Burke, Executive Secretary