

Manteca, California  
March 8, 2005

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      ROOS      SCHULZ      KUIL

Also present were Secretary/Manager Stroud, District Counsel Emrick, Utility Department Manager Shields, Water Treatment Systems Manager Hubkey, and Engineering Department Supervisor Bologna.

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

Mike Silva, Mitchell Engineering addressed the Board. He said they were finishing up today on the undermined pipe. Also, the new gate was on site and was being installed as he spoke. The compressor station has been delayed because Johnson Controls has changed the electrical configuration, but the work should be done by the end of the month.

President Roos asked the Board to consider approving the Consent Calendar items as presented.

#### CONSENT CALENDAR

SSJID Warrant of \$696,242.64, and payrolls of \$153,547.93.

Regular Adjourned Board Meeting Minutes of February 22, 2004.

Update the District's Conflict of Interest Code.

Motion by Kuil, seconded by DeGroot, to approve the Consent Calendar as presented.

PASSED AND ADOPTED this 8<sup>th</sup> day of March 2005 by the following roll call vote:

Ayes:           DeGroot      Kamper      Roos      Schulz      Roos  
Noes:           None

Presentation by Tom Wilson, President of Manteca Mural Society. Mr. Wilson addressed the Board asking the District to participate on the next mural. He said the parties would be the District, the building owner, the tenant, an artist, and the Mural Society. Funding for their murals run from \$25,000 to \$35,000. He said they have \$8,000 and are currently looking for more sponsors. When asked how much was being asked of the District, Wilson said he wanted to get a commitment of interest only at this time from the District. He said he needs a member of the Board to represent the District when a meeting is set up to discuss the 'importance of irrigation water' theme. Director Kuil said he would be glad to represent the District. No action was taken.

Consider approving Termination of Irrigation Service Abandonment Agreement #434, APN 245-070-02. Motion by Kamper, seconded by Kuil, and unanimously carried, to approve the termination as requested, subject to conditions and recommendation from staff.

Consider approval of Contract Change Order for Mountain Cascade on the Water Treatment Project. The change order also involves an amendment to the Bridge Agreement with Lathrop. Grant Kreinberg told the Board that installation of the approaches, retaining wall and bridge deck is work that was originally to be done by Mountain Cascade. However, to accommodate the City of Lathrop, it is recommended that the work be deleted from Mountain Cascade's work provided Lathrop agrees to accept the bridge without the work and to complete the work itself. The change order gives the project a credit of \$265,637 and a debit of \$51,053 for fencing from Mountain Cascade. A change to the Bridge Agreement with Lathrop requires reimbursement to the

City of Lathrop for actual cost upon completion of up to \$265,637 in progress payments or upon completion. Kreinberg said the Operating Committee recommends approval. Motion by Kuil, seconded by DeGroot, and unanimously carried, to authorize the General Manager to sign the recommended change order for Mountain Cascade, and the recommended change in the Bridge Agreement with Lathrop.

Consider approval of two new job descriptions for the WTP. Hubkey told the Board that the two job descriptions were the Laboratory Technician and the Office Specialist. Additionally the Office Specialist involves an increase in total annual pay of \$8,166. Hubkey said the increase is due to the requirements of the position. He said the survey shows a high of \$53,208 and a low of \$31,512, with an average of \$43,116, and this is the amount he is recommending. He said the old rate based on a simple clerical position was \$35,000. He asked the Board approve the Job Descriptions as submitted. Approve the salary schedule change for the Office Specialist and authorize recruitment to fill both positions. Motion by DeGroot, seconded by Schulz, and unanimously carried, to approve the two new job descriptions, approve the increase in salary for the Office Specialist of \$8,116, and authorize recruitment to fill both positions as recommended.

Consider conditional approval of improvement plans and related documents pertaining to the Terra Bella Subdivision involving improvements to a portion of Lateral "Ya" located north of Woodward Avenue, west of South Manteca Road. Bologna said this project was brought to the Board a month ago and denied because of the location of the pipe. At the last meeting the Board voted to allow pipe in the front yards behind the sidewalk, which is the location of this pipe. Bologna said the Developer would replace 42" cast-in-place with 48" reinforced concrete pipe. The upsize to 48" is to compensate for head losses. Our cost for the replaced pipe is \$62,712. Bologna recommended approval and authorization for execution of documents subject to compliance with conditions referred in the Developer's Agreement. Motion by Kuil, seconded by Kamper, and unanimously carried, to conditionally approve as recommended.

Consider conditional approval of improvement plans and related documents pertaining to the Paseo West subdivision involving improvements to a portion of Lateral "Ya", located north of Woodward Avenue and east of South Manteca Road. Bologna said this project involves 3,040 feet of 42" pipe. The District's cost at \$24.00 per foot is approximately \$72,960. He recommended approval and authorization to execute necessary documents subject to compliance to the conditions and requirements of the documents. Motion by Kamper, seconded by DeGroot, and unanimously carried, to conditionally approve the plans and related documents subject to compliance with conditions and requirements in the agreements.

Consider approving filling Maintenance Department position. Stroud asked the Board for permission to fill a Maintenance Department position that has been empty since last July, due to the health problems of one of our employees. It now looks as if that employee will have to go on permanent disability, per his doctor's recommendation. If his health situation changes and he is able to return to full time work, the new employee would be used in the next vacancy in the water department. After a brief discussion, it was moved by Schulz, seconded by DeGroot, and unanimously carried, to approve filling the Maintenance Department position.

Authorize the General Manager to sign a settlement agreement with Chevron-Texaco and Ranger Pipelines, Inc., requiring Chevron-Texaco to make a payment to Ranger in the amount of its claimed additional costs. Emrick reported that Ranger Pipeline, Inc., is a contractor on the WTP pipelines. In the contract near Tracy, Ranger found contaminated soil when excavating and is claiming additional costs of \$138,551.46. Chevron-Texaco has agreed to pay this amount, but requires the District to sign a settlement and release to resolve the claim. Emrick recommends the Board authorize execution of the settlement and release. Motion by Schulz, seconded by Kamper, and unanimously carried, to authorize the General Manager to execute the settlement and release.

Manager's reports:

Friday, March 11, 2005 we have a meeting in Sacramento with several other water agencies who are also considering becoming a part of a worker's compensation insurance pool (JPIA).

Ag Water Issues Breakfast meeting with Congressman Cardoza is on March 23, 2005 at 7:30 a.m at Espana's Restaurant, 1460 E. Pacheco Blvd., Los Banos.

April 1, 2005, the Conflict of Interest forms must be turned into Robin Giuntoli in the front office.

FERC will be performing an inspection at Woodward and Frankenheimer Hydro Plants on April 14<sup>th</sup>.

ACWA Conference on May 3<sup>rd</sup> through the 6<sup>th</sup>, booked rooms, need to let Cheryl Burke know if you plan to attend.

The contract at the Water Treatment Plant now has security on site per the contract specifications.

Utility Systems Director Report:

Shields and Stroud met with PG&E and Assemblyman Cogdill's staff relative to a bill Cogdill is supporting. He said the Assemblyman's staff indicated that he probably would not support the bill if agreement were not made between PG&E and several public agencies. We think that the same wording should be added for Special Districts as is currently in the aggregation rules for cities and counties.

Said that the CPUC is opening an investigation into PG&E's estimated billing practices. TURN asked for the investigation.

Directors' reports:

Roos brought up the water start date of March 15<sup>th</sup>, said he thinks we should move it back a week to March 22<sup>nd</sup>. After discussion it was the consensus of the Board to move the start date to March 22<sup>nd</sup>.

DeGroot said the Delta Water Users Association meeting is on March 10<sup>th</sup>.

Kamper said relative to the Water Treatment Plant dedication that Director Kuil and he would like to have a barbecue for all the consultants that have helped with the project.

Schulz said that OID Director Clark told him that an investment banker from Texas was going to give a presentation to the Tri-Dam Power Authority Commissioners relative to refinancing the outstanding bonds at the next Tri-Dam meeting. Stroud said he knows nothing about this but will look into it.

President Roos called for closed session relative to litigation matters, personnel matters, and labor update as follows: District Counsel Emrick said we will be discussing items b, in closed session.

b. Conference with legal counsel, Anticipated Litigation, Initiation of Litigation, Gov. Code, S., 54956.9 (c). One Case.

Upon returning from closed session Emrick announced there was no reportable action taken in closed session.

There being no further business to come before the court it was moved by Kamper, seconded by Schulz, and unanimously carried, to adjourn to March 22, 2005 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary

