

Manteca, California
March 12, 2002

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 HAWORTH KAMPER ROOS
 ABSENT: SCHULZ

Also present were Secretary/Manager Stroud, General Counsel Emrick, and District Engineer Gilton.

President Kamper called for public comment. There being none he asked the Board to consider approving the Consent Calendar Items as presented.

CONSENT CALENDAR

- A. Warrants of \$361,505.93.
- B. Regular Adjourned Board Meeting Minutes of February 26, 2002.
- C. Service Abandonment Agreements:

Number	APN
1321	243-300-22
1322	208-420-24
1323	243-220-58
1324	200-020-16
1325	218-040-12
- D. Adopt Resolution No. 02-07-Q, Disposal of Surplus Equipment.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
DISPOSAL OF EQUIPMENT
RESOLUTION 02-07-Q**

WHEREAS, the District may dispose of any equipment or property of the District, which it finds to be no longer necessary for District purposes, and;

WHEREAS, the Board of Directors of the South San Joaquin Irrigation District declares that because the following equipment has been replaced and is surplus, is no longer necessary for District purposes and has no marketable value;

- 12 Nokia 6160 mobile telephones
- 7 Nokia 5165 mobile telephones
- 1 Nokia 6162 mobile telephone - flip style
- 15 car kits (12 complete and 3 without microphones)
- 2 56K external Robotics modems
- 1 set of computer speakers without the power cord

WHEREAS, the Board of Directors finds that donation of mobile telephones to a charitable organization is desirable and that the program, entitled “Donate a Phone” makes use of donated used mobile telephones, programs them with emergency numbers and gives them to victims of domestic violence for use in crisis situations would be a suitable recipient for the Nokia mobile phones, and

WHEREAS, the Board of Directors finds that the car kits are no longer necessary for District purposes and have a value of \$10.00 and will be offered to interested individuals for a price of \$10.00 each, and

WHEREAS, the Board of Directors finds the remaining equipment have a nominal market value of \$5.00 each, and

THEREFORE, BE IT RESOLVED AND ORDERED District finds that the above findings are true:

1. The Nokia mobile phones will be donated to “Donate a Phone”.
2. The car kits will be sold for \$10.00 each
3. The remaining equipment will be sold for a nominal market value of \$5.00 each.

PASSED AND ADOPTED this 12th day of March, 2002 by the following roll call vote:

Ayes: De Groot Haworth Kamper Roos
Noes: None
Absent: Schulz

- E. Adopt Resolution No. 02-08-Q, Declare Ford 340 Backhoe surplus equipment and authorize its sale.

**RESOLUTION NO 02-08-V
AUTHORIZING THE SALE OF PROPERTY NO
LONGER NECESSARY FOR DISTRICT PURPOSES**

WHEREAS, the District may sell for valuable consideration, any property of the District, which it finds to be no longer necessary for District purposes;

WHEREAS, the Board of Directors of the South San Joaquin Irrigation District finds 1981 Ford, Model 340, Standard Back Hoe with loader.

DISTRICT I.D. NO.

42

SERIAL NUMBER

340

Is no longer necessary for District purposes and that it is in the best interest of the District to sell

said property; and

WHEREAS, the District finds, the following value is a fair consideration for said property;

<u>DISTRICT I.D. NO.</u>	<u>FAIR MARKET VALUE</u>
42	\$ 6,000.00

NOW, THEREFORE BE IT RESOLVED AND ORDERED that the Assistant General Manager of the District is authorized to display said property for sale for a period of ten days thereafter, directed to sell said property to whoever presents the highest cash offer, provided that the offer is equal to or exceeds the following:

<u>DISTRICT I.D. NO.</u>	<u>MINIMUM PRICE</u>
42	\$ 5,500.00

BE IT FURTHER RESOLVED AND ORDERED that the Assistant General Manager is authorized and directed to take all necessary steps and execute all documents necessary to transfer title to said property.

PASSED AND ADOPTED on this 12th day of March 2002 by the following roll call vote:

Ayes: De Groot Haworth Kamper Roos
Noes: None
Absent: Schulz

Motion by Roos, seconded by Haworth, to adopt the Consent Items as presented above.

PASSED AND ADOPTED by the following roll call vote:

Ayes: DeGroot Haworth Kamper Roos
Noes: None
Absent: Schulz

Consider awarding contract to Zenon Environmental Systems, Inc. to supply membrane filtration system at the water treatment plant. Grant Krienberg, Water Resource Consultants and Jay Hesby, Black & Veatch addressed the Board. They had sent ROP's to five companies. They received four proposals as follows: Zenon \$6,546,342.37; US Filter \$8,980,000; Ionics \$8,863,567; and Pall \$7,979,000. Krienberg & Hesby recommended Zenon at \$6,546,342.37 based on the initial price and an analysis of O&M costs which showed Zenon at approximately \$3,000,000 less costly over 20 years. **Motion by DeGroot, seconded by Haworth, and unanimously carried, to authorize the purchase of the membrane filtration system from Zenon at \$6,546,342.37 and to authorize the Secretary/Manager to execute the necessary documents.**

Discussion relative to amending District policy concerning use of drain water outside District

boundaries and issuance of Structure Permits regarding the same. Stroud said currently there is no formal District policy for allowing Encroachment Permits in drains. He said we currently have two applications, one on Drain 11 and one on Drain 14. Emrick said that in the past we have only allowed sumps in the drains. After a lengthy discussion the consensus of the Board was to allow sumps and possibly a small weir that doesn't cause slumping of the side slopes of the drain or cause flooding or slow drainage to upstream properties, or significantly raise groundwater levels. The Board asked that a policy be drafted for future consideration. No action was taken.

Consider approval and authorize signing of an "Annual Permit for Commercial Fishing at Woodward Reservoir" for the year ending December 31, 2002, with Mr. Richard Cunningham, Commercial Fisherman. **Motion by Roos, seconded by DeGroot, and unanimously carried, to approve the above permit and authorize execution of same.**

Consider approving purchase of a video projector with lap top computer and video camera. Stroud said the quote for the projector and camera is \$8,375 plus tax and the computer is approximately \$2,500. He recommends approving purchase of the video projector, camera and the lap top computer, total cost \$10,875. After a demonstration of the equipment by Gary Sewell of CSG Visual Communication, Inc., the following action was taken. **Motion by Roos, seconded by Kamper, and unanimously carried, to approve the purchase of the items listed above, as recommended by staff.**

Consider approving professional services contract for assistance in filing Water Code 1011 Report. It is the Boards intention to supply conserved water to the water treatment plant. General Counsel Emrick explained that under the Water Code, we need to file Statements of Use and claim the continued right to water which is not currently diverted. Wagner & Bonbignore, an engineering firm specializing in water rights issues will do the report for a not to exceed amount of \$1,000. Emrick recommended approval. **Motion by Haworth, seconded by DeGroot, and unanimously carried, to approve the contract with Wagner & Bonbignore and authorize execution of same.**

Consider approval of the Amendment to Consulting Agreement with Chevron Energy Solutions LP. President Kamper reported that he and Director Schulz, met with Chevron on Wednesday, March 6th and that Director Schulz did not want to approve the agreement, however Kamper does and he recommended the Board approve it. After a lengthy discussion with members of Chevron and the Board, it was the consensus of the Board to wait until March 26, 2002 to vote on the agreement. No action was taken.

Consider approving Consulting Agreement with Cutler & Associates for the S.I.D.E. Project. Emrick said there are 55 parcels of land that we will need to acquire for the S.I.D.E. Projects. He said we don't have the staff to handle this and keep the project moving forward in a timely manner. Cutler estimates it will take them approximately six months to do the work, with a cost of \$2,000 per parcel or \$110,000 total. He recommends approving the agreement with Cutler & Associates and authorizing execution of same. **Motion by DeGroot, seconded by Roos, and unanimously carried, authorize the General Manager to negotiate an agreement with Cutler**

& Associates to acquire 55 properties for the District at a not to exceed cost of \$110,000, and authorize execution of same.

Discussion amending District policy for returning to service. Stroud said, he put this on the agenda at the request of Director Roos. After discussion, the Board asked that staff draft a new policy regarding Irrigation Service Abandonment Agreements for consideration at a future meeting. No action was taken.

Manager's reports:

Emrick reported that the Dedication of a plaque for Mr. Woodward at the Woodward Reservoir will be on April 20, 2002. He said he hoped that some or all of the Directors could attend. He said we have a choice as to the time of day that the dedication will be held. The Board asked that it be held at 10:30 a.m. and asked that they be sent a reminder a few days before.

Stroud reminded the Directors that are attending the Spring ACWA Conference, May 7 through May 10th, to let Cheryl know if they want to be signed up for anything other than the basic conference registration.

Stroud reported on the two problems at Woodward. The seepage just south of Ron Morrow's house will be repaired as soon as the ground dries up. The erosion under the slabs on the face of the dam will be repaired by Thursday, and we will begin diverting approximately 600 cfs on Friday to bring Woodward up to its normal summer operating level within about two weeks.

Per the Board's request, we will have an in-house seminar on labor law, to be held March 28th for all District Supervisors .

Directors' reports:

Director DeGroot reported graffiti on a couple of irrigation boxes. Stroud said he would have them painted.

President Kamper called for closed session relative to litigation matters, personnel matters, and labor update as follows: General Counsel Emrick announced the Board will be discussing items a), b), c), and d) in closed session.

- a) Conference with legal counsel, existing litigation, Gov. Code, S. 54956.9, 2 Cases: SSJID vs. R.J. Estrada, et.al., and SSJID vs Leo Ricetta, et.al.
- b) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9. Two cases.
- c) Conference with legal counsel, anticipated litigation, a claim by Nick Fereria for damages, Gov. Code, S. 54956.9.
- d) Conference with labor negotiator, Gov. Code, S. 54957.6. Agency designated representative: Stevan Stroud. Employee Organization; Management Unit.

Upon returning from closed session the following action was taken: Motion by Roos, seconded by Haworth, and unanimously carried, to pay the claim of Nick Fereria in the amount of \$100.

General Counsel Emrick announced there was no other reportable action taken in closed session.

There being no further business to come before the Board it was moved by DeGroot, seconded by Haworth, and unanimously carried, to adjourn to March 26, 2002 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

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