

Manteca, California
March 25, 2003

The Board of Directors of the South San Joaquin Irrigation District met in regular adjourned session in their chamber at the hour of 9:00 a.m.

Upon roll call the following members were noted present.

DIRECTORS: DEGROOT KAMPER SCHULZ ROOS

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

President Schulz called the meeting to order and asked for public comment. Rob Sharp addressed the Board about a bridge that crosses the Q line on Jack Tone Road. He said he believed that the bridge was the responsibility of the District and that the District should fix it. General Counsel told Mr. Sharp that the Board could take no action on this item since it was not on the agenda.. General Manager Stroud said that the responsibility for maintenance was determined in 1943 when the landowner took out a permit to install the culverts and agreed to be responsible for such costs. It was the consensus of the Board that this is a private bridge and therefore the landowner will have to pay the cost to repair or replace the bridge. Mr. Sharp said he would like it in writing that the District will not fix the bridge. Mr. Emrick told Mr. Sharp that if he wanted this issue on the agenda, he should send a written request to the Secretary of the Board and it would be on the agenda.

President Schulz asked the Board to consider approving the consent calendar items as presented.

CONSENT CALENDAR

- A. SSJID Warrants of \$546,671.35.
- B. Regular Board Meeting Minutes of March 11, 2003.

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

PASSED AND ADOPTED this 11th day of March 2003 by the following roll call vote:

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

Consider approving modified plans for Paseo Development as it applies to District Lateral "Y"

and authorize signing of appurtenant documents. Bologna said the pipeline in this subdivision has been replaced. However, they would like to run the line across Spreckles Road before the road is surfaced and tie it in after the end of the water season. Approval would be subject to the City of Manteca issuing an easement. **Motion by DeGroot, seconded by Kamper, and unanimously carried, to approve the modified Improvement Plans and Developers Agreement, acceptance of stub as part of the District's Lateral "Y" facility upon satisfactory testing of the line and formal acceptance of work, subject to Agreement with the City of Manteca to provide the District with the same priority as with the original pipeline and the issuance of an easement from the City of Manteca to the District for same.**

Review and approve Treatment Plant Project Contract Amendment with Black & Veatch and Panagraph. Stroud said the additional scope of work for Panagraph will increase their contract by \$25,400. Stroud said for Black & Veatch the additional scope of work will not increase their contract cost ceiling. He said the Operating Committee recommended approval of the amendments. **Motion by DeGroot, seconded by Kamper, to approve the Contract Amendments with Panagraph and Black and Veatch as recommended. Motion Carried, 3 Ayes, 1 No, with Director Roos voting No.**

Consider impacts of sale of water to Rein Doornenball. Stroud said that Mr. Doornenball had entered into a temporary water service agreement for three years to water 55 acres of land located on the west side of Carrolton Road. He is asking that we sell him water for a fourth year. He initially said he would begin the process of annexing his property into the District. To do this he must get Central San Joaquin Water Conservation District to consent to detach the land. He must file an annexation with LAFCO, which he did a week or so ago. Based on last year's formula, he would pay \$30.00 per acre for 55 acres, or \$1,650 for the 2003 irrigation season (plus administrative charges). However, to avoid issues of subsidy or gifts of public funds, the true cost of delivering water (\$32.62 per acre foot) is the appropriate rate. Stroud said there is another problem. Mr. Doornenball is taking 48 hours to irrigate the 55 acres. This is due to him being unable to take a full head of water. Currently, he is taking 10 cfs or less. This causes the division to run an 11 day rotation during the highest demand portion of the water season. Stroud said that this causes problems for those in the District, and recommends that if this occurs, we discontinue giving him water during those periods. After discussion, the following action was taken:

DeGroot, seconded by Roos, and unanimously carried, to approve the request for temporary service, provided; 1. The price on the District's latest cost for water delivery (\$32.62 per acre foot), and 2. Water delivery will be curtailed whenever necessary to maintain a 10 day rotation for in-District landowners, and 3. Unless annexation is completed, no water will be delivered in 2004, and 4. Further subject to compliance with all standard terms and conditions, and 5. A meter will be installed to measure water going to the 55 acres.

Consider approving abandonment of a portion of Lateral “Tbd” -“AA” along Crom Street. Bologna said this lateral is no longer in use and the City of Manteca is doing road improvements and wants to remove approximately 400 feet of pipe, and recommends approval.

Motion by Roos, seconded by DeGroot, and unanimously carried, to authorize the abandonment of the above, authorize signature of improvement plans and authorize execution of an easement quitclaim upon satisfactory removal of the pipeline.

Authorize approval and signature of Final Map, Improvement plans and Encroachment Agreement for Farinelli Ranch Unit, # 3. Bologna said the Drainage Agreement with the City of Escalon has expired. Therefore, we will need an Interim Agreement before this can be approved. He recommends approval subject to an Interim Drainage Agreement with the City of Escalon.

Motion by Kamper, seconded by DeGroot, and unanimously carried, to authorize execution of Final Map, Improvement Plans, and Encroachment Agreement subject to interim drainage agreement with the City of Escalon.

Approve cancellation of Irrigation Service Abandonment Agreements as follows:

No.	APN	Landowner	Acreage
1023	205-250-08	Bacchus Vineyards	79.46
835	205-250-10	Vandepol, Henry	74.77
1177	228-150-23	Perry, John F. Jr.	2.99

Motion by DeGroot, seconded by Kamper, and unanimously carried, to approve cancellation of Agreements 1023 and 835. To approve cancellation of Agreement 1177 subject to adequate structure pre Water and Maintenance Departments.

Discuss appointment of successor for Lloyd Haworth’s position as Director of Division 4. General Counsel Emrick gave the Board a copy of draft Notice of Vacancy in Office of Director and asked the Board to approve posting of the Notice. After review the following action was taken:

Motion by Kamper, seconded by DeGroot, and unanimously carried, to post the Notice as presented, in three public places and publish one time in the Manteca Bulletin.

Discussion relative to District Sump Policy. Stroud asked that this item be tabled until the April 8, 2003 Board meeting. No action was taken.

President Schulz called for Manager’s and Directors’ reports:

The City of Manteca is looking at expanding their Redevelopment Area. He said he will, unless instructed otherwise by the Board, oppose the expansion unless the City mitigates our loss of revenue.

Stroud said staff is preparing a draft resolution honoring Lloyd Haworth.

Stroud said he received a call from Supervisor Ornellas, regarding the filling of Lloyd Haworth's position, stating if the Board fails to make an appointment the Board of Supervisors will.

Stroud handed out copies of the current Water Reports.

Stroud said a homeowner is complaining about noise from the Johnson Pump, which is located in Director DeGroot's Division. He said we are having the pump system checked by Don Pedro Pump and will report results.

Stroud said he received a call from Darlene Omo in Escalon. She two employees, David Coffey and Joe Cragg saw two thieves, confronted them and ran them off. Said she really appreciated the fact they were observant and that they took the time to investigate.

Stroud gave out a new listing of Directors and staff phone numbers.

Stroud said relative to the SIDE project, comments on Boyle's review of SCADA System were sent last month, still no reply from Boyle.

Stroud said relative to the Treatment Plant Project, we are still working to resolve issues with San Joaquin County Public Works.

Stroud said Central, Oakdale and Stockton East are interested in water purchases. He said until we know officially what our supply is we will not be discussing water sales.

Xavier Dairy on Lateral "I" had a wastewater spill.

Stroud said the cleaning of the FCOC was completed March 14th. He said we are looking at cutting into the north end of the FCOC to enhance drainage. We are talking to the State Reclamation Board and will be talking to the City of Manteca.

Stroud said we received the Draft Operating Plan last Wednesday from Chevron. He said he and Emrick would be making our comments within the week.

Stroud said the County Planning Commission met relative to the mining of aggregate on River Road and Harold. They put off making a decision until the proponents meet with us to work out a resolution.

Stroud said we had a visitor from New Zealand. She came here through the Rotary Club.

Stroud said he will be testifying in Merced today at 3:00 p.m.

Stroud said he has a meeting in Sacramento tomorrow morning.

Stroud said relative to the Operating Plan for Retail Power a tentative date to discuss it is April 15th. Emrick said we will need some input on whether to schedule presentations on the electrical project at future Board meetings before a new director is appointed. It was the Board's consensus to postpone the closed session meeting scheduled for April 15th to April 29th and postpone voting on the project until after the new Board member is appointed to replace Director Haworth.

Stroud said the River Group meeting is scheduled for April 25th.

Stroud said the Spring ACWA Conference will be May 7-9 in Tahoe.

Stroud said the Treatment Plant Bids are scheduled to be awarded May 13th.

Stroud said registration for APPA Conference are due May 14th. The conference is June 14th -18th in Nashville, Tennessee.

Stroud said June 6th is the tentative date for the Water Treatment Plant groundbreaking.

Stroud read the following into record:

Structure Permits:

Haworth, APN 228-130-16, to install sump and appurtenant sprinkler pump on Lateral W @ Station 63+/-.

Avila, APN 249-150-19, to install one 24" valve on Lateral I @ Station 17 +/-.

Almeida, APN 249-150-15, to install on 24" valve on Lateral I @ Station 15 +/-.

Cabral, APN 227-400-07, to install 8" drain valve on Lateral A @ Station 220 +/-.

Cazares APN 227-020-14 to install one 24" valve on Lateral A @ Station 258 +/-.

Morrison Muniain APN 225-020-03 to install six 24" valves on Lateral A between Stations 302 and 310 +/-.

Encroachment Agreements:

Dias APN 202-380-17 to encroach upon Lateral T easement with a swimming pool.

Talamantes APN 208-550-06 to encroach upon Lateral RFB easement with a swimming pool.

Director DeGroot said there is graffiti on the suicide box and on Lovelace.

Director Kamper reported that former employee Kevin Smith passed away.

Director Roos asked what the fees for annexation were at Merced, Modesto, Turlock, and Oakdale Irrigation District's. Stroud said he would find out.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update as follows: General Counsel Emrick said items a) and b) will be discussed in closed session. Additionally, after the agenda was posted an item came up that requires action before the next meeting. Motion by Kamper, seconded by DeGroot, and unanimously carried, to add the following item to the closed session agenda as item c).

- a) Conference with legal counsel, existing litigation, Gov. Code, S. 54956.2. Delta Keeper vs. OID, and SSJID vs. Laro Coal & Iron-California Co., Inc.
- b) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9. Two Cases.
- c) SSJID vs. Hal S. Robertson.

Upon returning from closed session General 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 Roos, seconded by Kamper, and unanimously carried to adjourn to April 8, 2003 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

E:\FILES\MANAGEMENT\STEIN\MINUTES\032503.wpd