

Manteca, California  
March 25, 2008

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      KUIL      SCHULZ      ROOS

Also present were Secretary/Manager Shields, General Counsel Emrick, Water Treatment Plant Manager Hubkey, Engineering Department Supervisor Bologna, Communications Coordinator Sayler, and Utility Systems Director Battles.

President Kuil called the meeting to order and asked for public comment. There being none he asked the Board to consider approving the Consent Calendar as submitted.

#### CONSENT CALENDAR

- A.      SSJID Warrants of \$355,153.18.
- B.      SSJID Regular Board Meeting Minutes of March 11, 2008.
- C.      Resolution No. 08-06-P, Authorizing the Assistant General Manager to execute Texas Unclaimed Property Business Owner Claim Form.
- D.      Approve Irrigation Service Abandonment Agreement # 1552 for Satellite Housing, Inc. APN 200-140-03, 3.39 Acres.
- E.      Accept and file Notice of Completion for work on the Lateral "T" & "R", Rubicon Gate Structures.

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

PASSED AND ADOPTED this 25<sup>th</sup> day of March 2008 by the following roll call vote:

Ayes:	Holbrook	Kamper	Kuil	Schulz	Roos
Noes:	None				

Consider accepting the proposal of Cal Crush, located in Ripon, to crush cement located at the Ripon Spill. Jeff said there are three bids, although Cal Crush is \$8,200 more Tom Haggard is recommending accepting Cal Crush's bid of \$63,450 as the lowest bid it does not provide for separating sand and dirt as does the next highest bid. Motion by Director Schulz, seconded by Director Kamper, to accept the bid of Cal Crush subject to verification of pricing. Motion Carried, Ayes 3, Noes 2, with Directors Kuil and Roos voting No.

Consider approving renewal of Zenon "Zeno-Trac" Agreement. Hubkey said Zeno Trac provides automated data collection, web accessibility, and graphical reporting of the process. Zeno Trac was included in the contract with Zenon which expires this year (February). This was budgeted and there are adequate funds available, \$16,470 to pay the cost, there are no other vendors that offer this service. Motion by Director Holbrook, seconded by Director Roos, and unanimously carried, to approve as recommended.

President Kuil asked Hubkey to give his Manager's report:

Hubkey reported the following:

A hole was cut in the fence at the solar plant over the weekend.

Staff is removing solar lights at the reservoir for maintenance.

Staff is starting the acid clean on the membranes this week.

Divers will be at Woodward Reservoir in April for log boom maintenance.

Staff will be attending a “WEB-CAST at the plant on membrane fibers on April 16, 2008.

We had one District employee apply for the vacant labor position.

Al Koury, Mechanic at the plant announced he is leaving the District effective April 25, 2008.

Rich Hartman and Jim Atherstone attended a seminar on Zebra Mussels. The class looked at ways to prevent spread and the effects of mussels. Shields that the Stanislaus County Recreation Director attended with our employees since they may be responsible for keeping the mussels out of the reservoir. There are basically four ways to battle the mussels that are in their early stages as small as a grain of sand.

1. Close reservoir to boats.
2. Chlorine wash system for boats.
3. Dog that sniffs the mussels.
4. Chlorine at the plant.

Hubkey advised that the plant pre-treats with chlorine and he will check to see what dosage is necessary to kill the mussels.

Roos asked Hubkey about the 40 H.P. pump that required repairs. Hubkey said that is a submersible pump that was leaking water into the oil. It was sent out and repaired under warranty.

Holbrook said the tour of Stockton’s treatment plant is on for this Thursday; is to meet here at 8:30 a.m. Those attending, Roos, Schulz, Holbrook, and possibly Kuil.

Consider approval of purchase of furniture for the new offices. Shields said this is for the three offices and conference room/office. He said the cost is \$14,415.32 from Warden’s and recommends approval. Motion by Director Schulz, seconded by Director Holbrook, and unanimously carried to approve purchase from Warden’s at a not to exceed \$14,415.32.

Consider authorizing amendment to plans for Oleander Sundance Development, to defer improvements to District facilities. Bologna said the Board approved this project 1 ½ years ago. Due to problems with the economy the project has been postponed. Bologna proposed we do the pipeline at an approximate cost of \$550,000 and get an agreement to have the developer pay us back with interest when they start building. Director Roos said he does not feel we should contribute to the cost, under the reimbursement policy, of this project since we are doing the work. Bologna said we could do that and he will let the developers know this is the case. Motion by Director Schulz, seconded by Director Kamper, and unanimously carried, to authorize staff to try to work out an agreement for us to do the improvements but to defer payment by the developer.

Consider adopting Resolution No. 08-07-P, Authorizing the Conveyance by Quitclaim of Property owned by the District. Bologna said the Board previously conditionally approved the sale to Jerry DeGroot of a strip of land owned in fee by the District at a price of \$62,383. Bologna recommends approving the attached resolution for the sale of the property to Mr. DeGroot; authorize the recording of the quit-claim deed reserving easement for same. Motion by Director Roos, seconded by Director Holbrook, to adopt Resolution No 08-07-P, authorize recording the quit-claim deed and reserving easement for same as recommended.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION NO. 08-07-P**

**RESOLUTION AUTHORIZING THE CONVEYANCE BY QUITCLAIM  
OF PROPERTY OWNED BY THE DISTRICT**

**WHEREAS**, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT, hereinafter referred to as “District”, is the title holder of apportion of property as shown on map of Van Velduizen Tract recorded in Volume 11 of maps at page 71 of San Joaquin County Records, hereinafter referred to as “Subject Property” located within a portion of Section 32, Township 1 South, Range 7 East, Mount Diablo Base and Meridian, and being more particularly described in the attached Exhibit “A”,

**WHEREAS**, the Subject Property lies adjacent to property located at 501 S. Parallel Avenue, Ripon, Ca. (261-150-25) owned by Jerry De Groot and Betty De Groot, hereinafter referred to as “Buyer”, and

**WHEREAS**, Buyer wishes to purchase Subject Property from District pursuant to the terms approved by the District’s Board of Directors at their April 24, 2007 and July 3, 2007 Board meeting respectively and conditions of the Developers Agreement executed on August 28, 2007, and

**WHEREAS**, the District’s fee interest is surplus to its needs and the retained easement interest and new conveyance is adequate for all reasonable District purposes, and

**WHEREAS**, it is in the best interest of the District to transfer property in exchange for the new easements and the established consideration, and

**WHEREAS**, Buyer has replaced the District’s Lateral “U” facilities in conjunction with the DeGroot Development project, and

**WHEREAS**, it is in the best interest of the South San Joaquin Irrigation District that the Subject Property be transferred to Buyer on the terms as outlined by Board action as follows:

1. Buyer’s payment of the purchase price of \$62,383.00 for approximately 0.10 of an acre.
2. District’s title to be conveyed by Quitclaim Deed Reserving Easement
3. Buyer will pay all costs related to transfer, including but not limited to, closing costs, title fees, brokerage fees, survey costs, recording fees and administration costs.
4. Buyer shall assume all liabilities for property associated with acquisition.
5. Buyer shall construct new pipeline facilities within a reserved exclusive easement for new irrigation facilities located within development in accordance with policy and as directed by staff, and

**WHEREAS**, the District’s Board of Directors finds as follows:

1. The consideration for the transfer of the Subject Property is fair value, and
2. The District's interest in the Subject Property easement proposed to be quitclaim deeded is no longer necessary for District purposes, and
3. The proposed disposition of the District’s Easement in the Subject Property is categorically exempt under California Environmental Quality Act as Class 12 Project pursuant to 14 CA Adm. Code of Regulations 15112 since the surplus government property does not have significant value for wildlife habitat or other environmental purposes and the property is of such size and shape that it is incapable of independent development or use.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the South San Joaquin Irrigation District hereby authorize the President and Secretary execute on behalf of the District a quitclaim deed to the Buyer disposing of the District’s interest in the Subject Property on the terms described above.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of March 2008 by the following roll call vote:

Ayes:	Holbrook	Kamper	Kuil	Schulz	Roos
Noes:	None				

Consider authorizing Kamboj Office Complex Project Deferred Agreement. Bologna said this is a 1.6 acre parcel. At this time they are only going to build on a portion of the land, and not on the portion that would impact the District. They basically want to do this in two phases; if a permit is taken out for the second phase, it is to require replacement of the District's facilities. Motion by Director Kamper, seconded by Director Holbrook, and unanimously carried to approve subject to a deferred agreement. Also, not cost share by the District.

Discussion concerning revisions to deliver water system for Division 9. Bologna said this may be a good possibility for a pressurized system to supply water for sprinkler users. The basic concept is to install line paralleling existing service lines from the Mystery Box downstream. However, there are many points that have to be investigated and he would like the Board to give the authority to start looking into it. It was the consensus of the Board to begin studying the possibility of a pressurized system in Division 9. No action was taken.

President Kuil called for closed session relative to personnel matters. District Counsel Emrick reported that the Board will be discussing the following in closed session:

Conference with labor negotiator. Agency negotiators: Lee Clark and Jeff Shields.  
Employee Organization: Management Unit.

Upon returning from closed session President Kuil announced no reportable action was taken in closed session.

President Kuil asked the Board to discuss staffing District booth at the Manteca Street Fair, April 5 and 6, 2008. Shields reported that we have two employees for each slot and that if Directors want to attend, they may come any time, just let Troylene Saylor know. Saylor said the booth will be manned from 10:00 a.m. to 6:00 p.m. on Saturday and from 10:00 a.m. to 5:00 p.m. on Sunday. No action was taken.

President Kuil asked for Manager's reports:

Shields reported the following:

Said he went to the Ripon Grange, which was having a 75<sup>th</sup> year anniversary party, on Saturday to deliver petitions. He said he had laryngitis and when he arrived the host told him he was the guest speaker. He said he managed to convey that the District would sponsor a future meeting and he would speak at that.

Said that Giuntoli and Stein are looking at Reserve Policies in an attempt to write a new policy for the District.

Said Bologna and he met with Condor to hear their pitch to do additional work on the Joint Supply Canal. He said he has the names of two engineering firms, recommended by Gilton and Elmer Brown to consider as alternatives. He said he wants a pier review of the Phase II work recommended by Condor before moving forward with the project.

2008 Water Quality Coalition cost per acre is going from \$1.00 per acre to 2.50 per acre.

Said at ACWA Kamper, Schulz, and Roos are registered to attend Ethics training at the conference in Monterey. He asked that they check with Carol for dates and times.

Study by the American Public Power Association showed that public power systems pay a median of 5.0% of annual electric operating revenues to state local governments (through property-like taxes, payments in lieu of taxes, transfers to the general fund, and

free or reduced cost services) compared to 4.2% for investor-owned utilities. The results clearly showed that there is no validity to the claim that “investor-owned utilities provide a benefit to their communities by paying taxes that the publicly-owned utilities do not.” In fact, the median contribution by publicly-owned utilities in 2006 was 19% higher than that of the investor-owned utilities.

Attended luncheon put on by Ripon Farm Service last week.

Bay Delta Conservation Plan May 5, 2008 in Stockton at the San Joaquin Farm Bureau.

According to Ron Morrow there are more leaks in the system this year than usual. Morrow thinks it may be from the earthquake we had approximately six months ago, although we do not know for sure.

However he is not sure.

Battles reported the following:

The Project Manager for Sun Technics resigned. The timing is bad; however, it should not delay us too much. He, along with Glenn Riddick is meeting with the new Project Manager at the solar site today at noon. He has asked Glenn Reddick to take the lead to complete the interconnection process with PG&E. This will cause some delay but hopefully no more than a couple of weeks.

Directors Reports:

Kamper reported that Director Kuil and he met with representatives from the schools and the City of Ripon. We agreed to recommend payment of half the cost to install the pipeline if the City of Ripon paid the other half.

President Kuil called for closed session. District Counsel Emrick said items a) and b) will be discussed in closed session.

- a) CONFERENCE WITH LEGAL COUNSEL, existing litigation, Gov. Code, S. 54956. SSJID v.LAFCo, Superior Court, San Joaquin County, Case No. CV 0302559. One case.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:  
Negotiating Parties: District & City of Ripon.  
District Negotiator: District Staff. Under Negotiation:  
Terms for quitclaim of District’s fee interest in Ripon’s frontage road project.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:  
Negotiating Parties: District & City of Stockton.  
District’s negotiator: General Manager and General Counsel.  
Under Negotiation: Price and terms of payment for sale of water.

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

There being no further business to come before the Board, it was moved by Director Roos, seconded by Director Schulz, and unanimously carried, to adjourn to April 8, 2008 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary