

Manteca, California  
March 26, 2012

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: KAMPER KUIL HOLMES HOLBROOK ROOS**

Also present were General Manager Shields, General Counsel Emrick and Engineering Department Manager Bologna.

Director Holbrook called the meeting to order and Director Roos led the salute to the flag.

Holbrook asked for public comment. There being no public comment, the Board was asked to consider the following Consent Calendar Items.

**CONSENT CALENDAR**

- A. Warrants of \$1,394,173.73.
- B. Regular Board Meeting Minutes of March 13, 2012.
- C. Approve the following Service Abandonment Agreements:

Director	APN	Owner	Acreage	Agreement #
Holmes	208-070-19	Rick Fowzer	.97	1643
Holmes	227-030-04	Jim & Sandra Mangnuson	.87	1644

- D. Accept and file Notice of Completion for the Telecommunications Site Expansion (SSJ-2011-01-R1).
- E. Accept and file Notice of Completion for the Towers and Infrastructure Project (SSJ-2011-02-R1).
- F. Accept Monthly Financial Statements for January and February and the Investment Report for the Month of February.
- G. Adopt Resolution 12-04-P, Authorizing the Conveyance by Quitclaim to Kenneth Palmer & Patsy Palmer for the transfer of Lateral We-156 dd.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION NO. 12-04-P  
RESOLUTION AUTHORIZING THE CONVEYANCE BY QUITCLAIM  
OF DISTRICT EASEMENT**

**WHEREAS**, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT, hereinafter referred to as “District”, is the holder of an easement for Lateral “Wc 156 dd” as shown on easement recorded on January 22, 1959 in Book 2138, Page 21 in the Official Records of San Joaquin County, hereinafter referred to as “Subject Property”, and further described in the attached Exhibit “A”, and

**WHEREAS**, Owner wishes for the District to Quitclaim its easement for the Lateral “Wc 156 dd” as described in attached Exhibit “A” and has agreed to assume all responsibility for the pipeline, and

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

1. The foregoing findings are true
2. The District's interest in the Subject Property easement proposed to be quitclaim deeded is no longer necessary for District purposes, and it is in the best interests of the District to dispose of that interest in accordance with the terms of existing transfer agreement 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 Kenneth L. Palmer and Patsy A. Palmer disposing of the District’s interest in the Subject Property on the terms described above.

- H. Give the City of Manteca authority to take water deliveries through the M1 turnout per the terms of the July 2011 Agreement to give the City additional time to construct the Lathrop Road Facilities after the peak water demand season is over.

Motion by Roos, seconded by Kuil to approve the Consent Items as presented.

**PASSED AND ADOPTED** on this 26<sup>th</sup> day of March, 2012, by the following roll call vote:

Ayes: Kamper Kuil Holmes Holbrook Roos

## **ACTION CALENDAR**

**Item #1**, Division 9 Update. Todd Kotey, Project Manager and Jeff Shaw, Field Manager and Jason Foster from Stantec addressed the Board. Todd reported the

following: the antennas are up, the pumps are running and the process of cleanup at the East Basin continues. The project focus has changed from the construction phase to the automation web interface phase. Jeff Shaw reported that of the eight properties that are hooked up to the system seven have been tested. The pressure is good and the landowners are very happy with the performance so far. Jason Foster showed the Board what the interface will look on the computer and gave a brief demonstration on how it will work. Roos asked if the system will be able to provide water for frost protection. Todd said that in theory it could but Shields commented that the District does not guarantee water for frost protection.

**Item #2,** Approve contracting with Stantec for follow up services on Division 9 Project. Jeff Shields introduced this item. He told the Board that the contract that Stantec is currently working under is for construction management and operations startup. A copy of Stantec's Operations Support and On-Call Services Proposal was available to the Board in their packets. The scope of work includes startup training for District staff, assistance with preparation of maintenance procedures/manuals and identifying and acquiring spare parts. Director Holbrook was concerned that the dates on the proposal didn't agree with the dates on the staff memo. Sam explained that the service dates will be through November 1 of this year. Todd told the Board that Jeff Shaw will be operating the system and training District staff full time until the end of water season. Holbrook asked if there was going to be a formal evaluation of the water year? Sam told him that a report will be made available at the end of this water season. Holmes said that he would like to see a "look back" report outlining what was learned from this project. Todd said that he will be preparing such a report both for the District and for Stantec. Director Kamper made a motion to approve Stantec's proposal at a not to exceed amount of \$264,430. Motion was seconded by Holmes and unanimously approved.

**Item #3,** Authorize signature of Contract Amendment with Davids Engineering for previously approved Engineering Services as part of the Flow Measurement Plan. Bologna explained that Davids Engineering has prepared a scope of work that outlines tasks that will be performed in 2012 as part of our three year flow measurement implementation plan. The proposal for services for the seven tasks outlined in the proposal comes in at \$122,640 which includes \$10,000 for on-call services. Motion was made by Holmes to approve David's Engineering proposal at a not to exceed price of \$122,640. Motion was seconded by Roos and passed unanimously.

**Item #4,** Approve proposal by City of Manteca for financial support of its Stormwater Quality Outreach Program for 2012. Bologna explained that for the past three years, the District has supported the City's ongoing efforts for Stormwater Public Outreach. The City's outreach program materials include District logos as an acknowledgment of the District's support for the program. Motion by Roos, seconded by Kuil to authorize support for the 2012 Stormwater Outreach Program as requested by the City of Manteca at a cost of \$6,500. Motion passed 4-1 with Kamper voting no.

Holbrook announced that the Board would be discussing Item 7 at this time.

**Item #7,** Continued discussion and possible action concerning measures to address water shortage during 2012 Water Season. Shields said that at this point it looks like all the

farmers in our area will get the water they need, if we manage it right. Director Roos reminded everyone that we will not get the official numbers for our water supply from the Bureau until after April 1. Bob Verdegaal, a landowner in the District asked the Board how the 14-28 day rotations were going to be implemented. He said he has trees on drip irrigation and 28 day rotation will not be sufficient. Joe Catanzarite, Water Superintendent addressed the Board, said that when he met with the Water Committee on the 19<sup>th</sup> it was made clear to him that only trees that flood would be put on a 28 day rotation schedule. He said that he notified the Division Managers that day, and told them that they were to offer water every 14 days to all properties except trees that flood. John Holbrook read a portion of a letter sent to tier 2 customers on March 20<sup>th</sup>. "Staff has been directed to provide water under the same terms and conditions to tier 2 parcels as all other property in our service area..... Rotations will still be on an extended 14 & 28 day rotation (schedule). If you elect to pass on a 14 day rotation you can notify your Ditch Tender and be able to get water in the following 14 day rotation. In other words, if you pass on the first rotation you do not have to wait for 28 days to be able to irrigate." Verdegaal asked why SSJID doesn't provide a set quantity per parcel like TID and MID. Holmes explained that the problem is we do not have the capability to accurately measure water delivered to individual farms at this time. Holmes said that is his personal goal to help move the District toward the ability to accurately measure flows delivered to our customers. After further discussion it was moved by Roos to continue the 14-28 day rotations, noting that 14 day rotations would be for trees and row crops that irrigate using drip, micro-mist or sprinklers. 28 day rotations are for trees that use flood irrigation. Also, if a farmer passes on water, it will be offered again in 14 days. The restrictions on Tier 2 customers has been lifted. Elevation at Woodward Reservoir will remain at 205. Motion was seconded by Kuil and unanimously passed.

Director Roos commented that "we are not out of the woods yet and we need to be careful". President Holbrook noted that this issue will be discussed again at the next Board meeting and invited the landowners in attendance to come back.

**Item # 5**, Discussion and possible action concerning PG&E Encroachment of Main Canal near Dodds Road. Shields told the Board that PG&E put the poles in illegally on land owned "in fee" by the District. Candace Briskey, PG&E Service Planning Supervisor addressed the Board. She explained that the customer application was sent in September 2011. A request was sent to PG&E's land department in November where it sat until February 27, 2012 when the District was notified of the request. In the meantime, the poles were placed in the District's easement. Ms. Briskey assured the Board that the poles will be moved off District land. It was decided that she would meet with Sam in the field to survey the situation and mark where the poles will be relocated. She assured the Board that this will not happen again and she will make sure that when a request goes to the land department that Sam will also be notified. Holbrook said it is important that the integrity of our agreement with PG&E be maintained.

**Item #6**, Consider approval of Joint Powers Agreement for San Joaquin Tributaries Association. Jeff Shields said he is asking the Board to adopt the language as we submitted it. John Holbrook pointed out that on page 5 at 4.3, it should read, "The SJTA shall not have the power to bind....". Also, on page 7, the last sentence in 7.1 should read, "Unless changed by the Commissioners,....". Emrick assured Holbrook he would

make those corrections. Motion was made by Kamper to authorize the President and General Counsel to sign the document as final form. Roos seconded the motion which passed unanimously.

**Item #8,** Authorize notice of termination of agreement with Velociter Wireless and negotiation of new agreement. Shields told the Board that we have had an agreement with Velociter since 2005. The District allowed Velociter the use of the District's radio tower at the MDC in exchange for internet service to the District. Apparently several years ago Velociter upgraded their dish without notifying the District. The District no longer uses Velociter for internet service. The agreement we have with Velociter was for a set term which has expired and renews on June 1 for one more year unless we give them a 60 day notice prior to June 1. Velociter has requested that the District provide them space on the radio tower at a reasonable rate. District staff recommend giving Velociter a 60 day notice of termination and negotiate a new agreement for use of the new tower at the Control Room subject to Board approval on the terms and authorize the General Manager to approve Velociter's continued use on a month to month basis while the new terms are being negotiated. Motion by Kamper, seconded by Roos to authorize staff to proceed per their recommendation. Motion passed unanimously.

President Holbrook asked for Directors Reports:

Director Holmes

- Said he wished to welcome Director Kuil back.
- The Boys & Girls Club Barn dance on Saturday was well attended and fun.
- Although water season is getting off to a rough start he hopes it gets better.

Director Roos

- Attended the Hispanic Mixer last week and commended Troylene on the nice job she did. He said it was a good crowd.
- Rode past Tulloch Power Plant, the generator was started up, he talked to Dan Pope and he seemed pleased with how things were going.

Director Holbrook

- At the next Tri-dam meeting the General Manager's job performance will be evaluated. A blank evaluation form was handed out to the Directors. Any questions concerning the evaluation form should be directed to Jeff Shields
- ACWA Regional 4 Tour has been planned a tour of the Sacramento Delta Levies, anyone interested should let Jeff know.
- Thanked Troylene for the good job she does.

President Holbrook asked for Managers Reports.

Bill Hubkey reported the following:

- WTP will shift from the lower outlet to the upper inlet on Tuesday morning. The District will also rescind the letter of no bodily contact per our CDHP Permit.
- Plant staff will finish completing the quarterly acid cleans this Thursday. B & B trucking will complete hauling the acid this Friday, March 30.

- Two trains of V-4 modules have been ordered and are scheduled for delivery in November or December.
- The new Plant Operator will start on April 10.
- Caltrans is attempting to change the agreement on realigning the main transmission line to require the district to install the line and be reimbursed at completion. A meeting has been set with Management from the City of Tracy and Manteca to discuss the issue.

Bere Lindley reported the following:

- Gave an update on the Refunding Bond process.
- Reported that he and Jeff met with the District's financial advisors last Thursday to begin the work of creating a prospectus.

Communications Coordinator, Troylene Saylor reported the following:

- Barn Dance for the Boys and Girls Club held on March 23<sup>rd</sup> was well attended and considered a success.
- Manteca Street Fair will be held on April 14 and 15.
- Escalon Chamber Mardi Gras will be held on April 27 from 5:30 - 8:30.

Sam Bologna, Engineering Department Manager reported the following:

- 2012 Water Conservation Program update:
  - We have received 98 applications to date.
  - \$782,522 is committed
- Currently in the process of evaluating the effectiveness of the Water Conservation Program.
- Working on getting proposals out for the Ag Water Management Plan.
- Met with landowner concerning the Water Line Project to the District's Corporate Yard. Is hopeful resolution to the issue is forthcoming.

Jeff Shields, General Manager

- Coalition meeting in San Francisco on Friday to launch the public campaign regarding the Cost of Capital proceeding that will be filed next month.
- CPUC's "Code of Conduct" is proceeding to implement SB790. This is a law that was necessary because of the inappropriate activities of PG&E around the Kings River and Marin CCA initiatives.
- Will be attending the Almond Board of California "Water Symposium" being held on April 3<sup>rd</sup> in the Stanislaus Room of Modesto Center Plaza.
- Handed out Tri-Dam Water Report dated March 24, 2102 and SSJID Water Usage Reports for the Weeks of March 11 and March 18, 2012.
- Division 9 Dedication will be scheduled for April 10, 2012.

Approved the following Structure Permits:

- Loren Scott Viss - APN 245-210-35, to install sump with appurtenant sprinkler pump on Lateral "Ra" @ Sta. 120 +/-.
- Bob Winters - APN 245-160-28, to modify connection to existing sump. Replacing 12" concrete supply line from District line to gate with 18" steel

line. Replace existing line from gate to sump with 21" PVC. On Lateral "Ta" @ Sta. 105 +/-.

--Terri Eaton - APN 229-260-13, to install private pipeline and valve on Lateral "B" @ Sta. 32 +/-.

--Frank Thomson - APN 206-060-09, to install 30" valve on Lateral "Q" @ Sta. 545 +/-

--Darrell Voortman - APN 247-230-14, to install sump with appurtenant sprinkler pump on Lateral "H" @ Sta. 98 +/-

Approved the following Encroachment Agreement:

--SB&B Partnership, APN 245-230-13 & 56, to encroach upon District easement with an 8" pvc pipeline running parallel to Lateral "P".

General Counsel announced the Board would be discussing Items 10 a. & c. under Closed Session

- a. CONFERENCE WITH LEGAL COUNSEL-Anticipated Litigation  
Initiation of litigation pursuant to subdivision (c) of Government Code  
Section 54956.9- 2 cases
  
- c. CONFERENCE WITH LEGAL COUNSEL - Real Property Negotiations  
Property: 208-200-20, 208-200-21  
Negotiating Parties: SSJID and Albert J. Silva, et al., Silva Family Ranch,  
LLC  
District Negotiator: General Manager  
Terms: Price and terms of payment

Upon returning from Closed Session, it was announced that on a motion by Director Kamper and seconded by Director Kuil, which was approved on a 5-0 vote, the Board directed its Counsel to send a notice to the Court not to participate in a lawsuit that is currently under seal.

There being no further business to come before the Board it was moved by Kamper, seconded by Holmes and unanimously agreed upon, to adjourn to the next scheduled meeting to be held Tuesday, April 10, 2012.

ATTEST: \_\_\_\_\_  
Cheryl Burke, Executive Secretary