

Manteca, California
April 9, 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 SCHULZ KAMPER ROOS HAWORTH

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

President Kamper called for Public Comment. Messrs. Ray Lial Sr., and Ray Lial Jr. addressed the Board. They claimed the District damaged their pipeline when a gate was opened and their line was overcharged. They indicated damages of approximately \$2,900. The Board thanked the Lials for their comments and said that the matter being raised under Public Comment, the Board would have no comment at this time.

President Kamper asked the Board to consider approving the Consent Calendar items as submitted.

CONSENT CALENDAR

- A. SSJID Warrants of \$636,042.40.
- B. Regular Adjourned Board Meeting Minutes of March 26, 2002.
- C. Accept Notice of Completion for work on the Lateral "T" and "R", Canal Rehabilitation Projects (SSJ-2001-2).

Motion by DeGroot, seconded by Schulz, to approve the Consent Calendar Items as presented above.

PASSED AND ADOPTED by the following roll call vote:

Ayes:	DeGroot	Schulz	Kamper	Roos	Haworth
Noes:	None				

Consider approving agreement to sell up to 30,000 acre feet of water to Central San Joaquin Water Conservation District (Central) in 2002 and approve CEQA Determination. Reed Roberts, Secretary/Counsel for Central addressed the Board. Roberts said he appreciated the District offering to help them out since the USBR has indicated Central's allocation for 2002 will be 13,000 acre feet. (Central's contract with the USBR is for 80,000 acre feet, with 49,000 firm

and 31,000 interim. SEWD's contract is for 75,000 acre feet of interim water). However, Central's allocation could increase. As it stands today, this leaves Central approximately 20,000 feet short of their needs. Roberts said that he has only one concern with the agreement, that is the take or pay requirement. He asked if it would be possible to guarantee taking 15,000 acre feet on a take or pay, basis (with payment up front), and having an option that must be exercised on or before June 1, 2002 for up to an additional 5,000 acre feet. When exercised, the optional water would be on a take or pay basis, with payment up front. Central Board President Richard Wagner assured the District Board that all purchased water was for internal use only and would not be resold. General Counsel Emrick said he could change the agreement as requested and recommended the Board approve the changes. **Motion by Haworth, seconded by Roos, and unanimously carried, to approve the CEQA determination and the agreement as amended, 15,000 acre feet take or pay, an option up to an additional 15,000 acre feet which must be exercised on or before June 1, 2002.**

Consider contracting with Centration Management Advisors & Consultants to file for "Open Meeting Act" (reimbursement). Stein said Centration will prepare documentation for and file the reimbursement claim for the District, and charging 20% of whatever is collected, up to a maximum fee of \$4,500.. Haworth said we will have to assist them in collection of data and staff should go ahead and file for the refund. After discussion the following action was taken.

Motion by Schulz, seconded by DeGroot, and carried on a vote of 4/1 with Director Haworth voting no, to authorize execution of Agreement with Centration Management Advisors & Consultants. Additionally, staff is directed to track staff hours required for working on the Open Meeting Reimbursement contract with Centration.

Consider giving Assistant General Manager the authority to sell pickups and SUV as listed on Resolution No. 02-09-V. Haworth asked that we track costs to evaluate effectiveness of change in replacement criteria to 100,000 miles and report to Board after sale of vehicles next year (similar to report on policy change evaluation). **Motion by DeGroot, seconded by Haworth, to adopt Resolution No. 02-09-V.**

**RESOLUTION NO 02-09-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 Six Pickups and one SUV listed below:

<u>DISTRICT I.D. NO.</u>	<u>SERIAL NUMBER</u>
227-00	295364
238-99	515567

231-99	515785
217-98	177162
207-98	179377
232-95	216912
201-93	507465

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>
227-00	\$ 8,450.00
238-99	8,300.00
231-99	8,250.00
217-98	6,150.00
207-98	6,150.00
232-95	5,500.00
201-93	4,500.00

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>
227-00	\$ 7,850.00
238-99	7,700.00
231-99	7,650.00
217-98	5,550.00
207-98	5,550.00
232-95	5,150.00
201-93	4,100.00

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 9th day of April 2002 by the following roll call vote:

Ayes: KAMPER HAWORTH DE GROOT SCHULZ ROOS

Noes: None

Absent: None

Update on SIDE Project cost estimates. Gilton stated the current estimate of cost is projected to run approximately \$6,900,000 more than estimated by ITRC (Dr. Burt) for the four components of SIDE (Northwest, Von Glahn, Southwest, and Highway 99). Gilton said the original cost estimates in the ITRC report were conceptual and didn't reflect the detailed costs of the project. Costs for construction of the reservoir, land and easements, and instrumentation/SCADA controls were not included in the ITRC estimate. General Counsel Emrick suggested we finish the Northwest component, and hold off on the other three until we see how it works and evaluate the benefits and costs. This would give time to gain experience and determine operation and maintenance cost more accurately before making the full investment. It was the consensus of the Board that the costs will not go down and that we should continue as previously planned. No action was taken.

Approve plans and specifications and authorize calling for bids for the Northwest Pipeline Project, Phase II Improvements. Gilton said the plans and specifications for the Northwest Pipeline Project are complete. The estimated cost by Provost & Prichard is \$2,015,322.92. Gilton recommended approving as requested above. **Motion by DeGroot, seconded by Haworth, and unanimously carried, to approve the plans and specifications and authorize calling for bids for the Northwest Pipeline Project, Phase II Improvements.**

Manager's Reports:

The Annual Farm Bureau dinner is on May 17, 2002, we have two tickets and, need one or more Board members to attend. Director Schulz said he would attend.

The Woodward dedication is on April 20, 2002 at 10:00 a.m. Directors DeGroot and Roos will attend.

The Surface Water Project design phase is on schedule and bids for construction will be out by December 30, 2002 and awards will be in March of 2003.

Directors' reports:

Roos reported that the Drain on Highway 120 and Siedner is ½ full of gravel. Stroud said he would have staff contact the landowner and ask him to clean it.

President Kamper called for closed session. General Counsel Emrick announced the Board will discuss items a) through d) in closed session.

- a) Conference with legal counsel, existing litigation, SSJID vs R.J. Estrada, et al, Sierra Club vs. SSJID, Delta Keeper vs. OID. Gov. Code S. 54956.3

- b) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov Code, S. 54956.9. Two cases.
- c) Conference with legal counsel, anticipated litigation, significant exposure to litigation. Gov. Code, S. 54956.9. One case.
- d) Conference with labor negotiator, Agency designated representative. Stevan Stroud: Employee organization: Management Unit. Gov. Code, S. 54957.6.

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

There being no further business to come before the Board it was moved by Roos, seconded by Haworth, and unanimously carried to adjourn to April 23, 2002 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

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