

Manteca, California  
April 12, 2005

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

Upon roll call the following members were noted present:

DIRECTORS:       DEGROOT       KAMPER       SCHULZ       KUIL

ABSENT:       ROOS

Also present were Secretary/Manager Stroud, District Counsel Emrick, Engineering Department Supervisor Bologna, District Engineer Gilton, Water Treatment System Manager Hubkey, and Utility Systems Director Shields.

Vice 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 items as presented.

#### CONSENT CALENDAR

- A.       SSJID warrants of \$516,925.18 and payrolls of \$174,721.13.
- B.       Regular Adjourned Board Meeting Minutes of March 22, 2005.
- C.       Irrigation Service Abandonment Agreements (ISAA) as follows:

ISAA	ACRES	APN	OWNER	FEES
1456	.88	227-030-03	ESPINO	EXEMPT
1457	1.58	245-120-34	RESSLER	EXEMPT
1458	3.69	249-070-40	AMADOR	EXEMPT
1459	1.15	249-150-39	NISSEN	EXEMPT
1460	22.91	245-200-02	JESSOP	SUBJECT TO FEES
1461	8.92	208-140-04	MACHADO	SUBJECT TO FEES
1462	.88	241-320-08	ANDERSON	EXEMPT
1463	1.50	241-330-35	CORREA	EXEMPT
1464	1.94	204-020-19	DIAZ	SUBJECT TO FEES
1465	2.50	206-100-15	MANN	EXEMPT

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

PASSED AND ADOPTED this 12<sup>th</sup> day of April 2005 by the following roll call vote:

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

Mike Silva, Mitchell Engineering addressed the Board. Mitchell has substantial completion and is waiting on a punch list. The gate at Woodward has been replaced. Also, he is waiting on a date for mediation. Emrick said the Attorneys need to agree on a date for mediation.

Vice President Kuil asked the Board to consider approving equipment purchase for the Water Treatment Plant. Stroud said we have three bids on the service body for the service truck. Cooks Truck Body Mfg., Inc., \$28,903.87; Mayer Equipment, Inc., \$26,743.55; and Diamond Truck Body, \$25,060.40. Stroud recommended purchasing the body from Diamond, the low bidder. Motion by DeGroot, seconded by Schulz, and

unanimously carried, to approve purchasing the service body from Diamond Truck Body at \$25,060.40.

Consider approving replacement of the gas and diesel pumps. Stroud said we received three bids: E.R. Vine & Sons, Inc., \$12,433.00; Elite IV Contractors, Inc., \$10,833.00; and Donlee Pump Company, \$10,033.10. Stroud recommended purchasing the pumps from Donlee. Motion by Kamper, seconded by Schulz, and unanimously carried to purchase the pumps from Donlee Pump Company, at \$10,033.10.

Consider approving PG&E Amended Master Encroachment Agreement. Bologna said this is basically the same as the other utility agreements. The Board authorized the staff to sign them under terms similar to the Verizon Master Agreement, but for a five year longer period of time. Motion by DeGroot, seconded by Kamper, and unanimously carried, to approve and authorize execution of the Amended Master Encroachment Agreement with PG&E as submitted, subject to confirmation of authority of signatory for PG&E.

Review District Pipeline Reimbursement Policy and adopt Resolution 05-04-C, Replacement of Irrigation Facilities. After discussion it was moved by Schulz, seconded by Kamper, to adopt Resolution No. 05-04-C.

RESOLUTION NO. 05-04-C  
REPLACEMENT OF IRRIGATION FACILITIES  
(DEVELOPMENT OF LANDS WITHIN THE DISTRICT)

WHEREAS, agricultural land within the boundaries of the South San Joaquin Irrigation District are rapidly being converted to urban use; and

WHEREAS, South San Joaquin Irrigation District irrigation and drainage facilities are located on or adjacent to said lands which are subject to a change of use from agriculture to urban development; and

WHEREAS, Urbanization of agricultural land impacts the integrity and reliability of SSJID's existing open canals and cast in place pipelines because of increased vehicular traffic inherent in urban settings, increased risk of facility failure from urban uses of the land, encroachment on District rights of way, restriction in District access for maintenance and replacement, and increased risk of damage from failure of facilities, and

WHEREAS, South San Joaquin Irrigation District irrigation and drainage facilities will continue to be utilized to serve other landowners not located within the lands being subdivided and converted to urbanization; and

WHEREAS, it is beneficial to all parties concerned that a consistent and equitable policy be established and implemented,

NOW, THEREFORE, BE IT RESOLVED, that the South San Joaquin Irrigation District (SSJID) hereby formulates the following rules and regulations for development of lands in the urban areas:

A. REPLACEMENT OF SSJID FACILITIES

1. All existing pipelines 24 inches and larger, regardless of age, shall be replaced with rubber gasketed reinforced concrete pipe (RGRCP) , C- 76, having "big bell" R-4 type bells and wall thickness appropriate for the pressure and traffic loads or approved equal.
2. All existing pipelines less than 24 inches in size, regardless of age, shall be replaced with either rubber gasketed PVC pipe class 100 PIP or approved equal.
3. Pipeline installation with appurtenant structures shall be in accordance with SSJID specifications and policies.

4. Where the existing SSJID facilities impacted by the proposed development are open canals, the developer shall pipe the canal following SSJID specifications and procedures, unless in the opinion of SSJID, the flows are such that operationally the facilities should be left as an open canal; namely, fifty (50) CFS or greater.
5. Where the existing SSJID facilities impacted by the proposed development are determined to remain open canals, the developer shall line said canal in accordance with SSJID specifications, and provide an access road along the bank(s) of said canal.
6. Private irrigation facilities served by SSJID through the proposed development shall be piped in accordance with Items 1 through 3 above.
7. SSJID finds that its facilities are impacted by proposed developments and unless SSJID determines that its facility or easement will not be impacted by the property being developed, the entire facility shall be replaced by the Developer at his cost irrespective of the physical location of the pipeline.
8. New installations will require a hydraulic analysis to be performed by a licensed engineer to accommodate irrigation or drainage flows in the new facilities.

**B. REIMBURSEMENT AND FEE SCHEDULE**

1. In developments where SSJID irrigation facilities are to be replaced, SSJID shall reimburse the Developer 35 days after SSJID files the Notice of Completion for the subdivision. Reimbursement will be calculated using the following amounts:

SIZE	EXISTING	PROPOSED
30" diameter RGRCP	\$13.00 per lineal foot	\$15.00
36" diameter RGRCP	\$17.50 per lineal foot	\$20.50
42" diameter RGRCP	\$24.00 per lineal foot	\$30.00
48" diameter RGRCP	\$28.50 per lineal foot	\$36.50
60" diameter RGRCP	\$43.00 per lineal foot	\$55.50

Larger than 60" diameter to be negotiated.

Unless otherwise approved, lineal foot contributions shall not exceed the amount derived from the existing location of the lateral. No additional contributions will be made as a result of relocations that result in additional footage, nor will payment per foot exceed footage installed.

2. The reimbursement by SSJID shall apply to all SSJID irrigation laterals irrespective of it's current or potential use as a combined storm and irrigation facility. SSJID reserves the right to deny reimbursement requests upon finding by the Board that it is not in the best interest of the District to provide such reimbursement for a particular facility or due to a particular circumstance. Including, but not limited to circumstances involving laterals with limited use or which are scheduled to be transferred to others. No reimbursements will be available for facilities which are designated as drains and are being utilized primarily for city storm drainage purposes, regardless of their use as spill laterals for District, and regardless of it being a pipeline or open ditch.
3. SSJID maintenance fees will not be applicable to developments which must relocate or replace SSJID facilities with RGRCP or approved equal.
4. The reimbursement fee schedule shall be reviewed every two years to determine if adjustments are necessary based on construction cost increases and pipe costs. Recommendations will be made to Board accordingly.

5. Section B of the Resolution applies only to developments for which tentative map approval is received and approval by SSJID is given after the effective date of the Resolution. This resolution can be amended or revoked in whole or in part, at any time without creating any right to reimbursement applicable to a subdivision before its approval by SSJID.

PASSED AND ADOPTED this 12<sup>th</sup> day of April 2005 by the following roll call vote:

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

Water Treatment Manager's reports:

Hubkey reported that the following positions at the Treatment Plant still need to be filled: Operator Apprentices (2), Lab Technician, and Office Specialist. He reported he hopes to have the plant running in May. Asphalt will be done in June.

Utility Systems Director report:

The APPA Conference is June 18 – 22. He has set up some meetings with finance and regulatory people during the conference. He asked which Directors would be attending. Kamper and Roos will be attending. Kuil and Schulz are not sure, will advise Cheryl. DeGroot said he will not be attending. Staff registered to attend are; Stroud, Emrick, Stein, and Shields.

Reported he met with Senator Cogdill along with representatives of SMUD. They were able to get the Senator to pull the Community Aggregation Bill PG&E had asked him to support due to the excess entanglement with regulators. SMUD along with the California League of Cities, and others were also opposed.

PG&E has stated to the press that the SSJID Board will not meet with them. Shields said he sent a letter clarifying the Boards position on meeting with them. Individual Board members will not meet with PG&E staff except during regular Board meetings, unless a PG&E officer is present.

Reported the petitions given to us by PG&E with a reported 1,302 local signatures were not exactly as reported at the last meeting. For example, there were 888 signatures from locals, 400 + from residents who live from Bakersfield to Red Bluff.

General Manager's Report:

Leaks in the lateral at Burwood Cemetery were fixed and there should be no further problems.

Relative to the question how much insurance coverage does Modesto Irrigation District have for their water treatment plant? Answer is nothing on the pipelines, and \$10,000,000 liability.

Reported that on Friday, April 1, 2005 at around 2:00 p.m. someone robbed the District of a computer and a projector that were stored in the General Manager's office closet. The individual came in the front door and asked to use the restroom. A short time later he thanked staff and left by way of the front door. He then got into his car and drove to the back of the office building. The individual entered the rear of the office building, took the equipment, returned to his vehicle and left the premises. Mike Gilton and Dawn Driesen got the vehicle's license plate number. The sheriff is investigating. Original cost of the stolen items was around \$10,000, replacement cost is less. Our property insurance has a \$10,000 deductible.

Since the incident, staff has discussed ways to tighten security. A couple of ideas were to install automatic gates in the yard and in the front office, extend the counter to include a gate, thus creating a barrier between the public and staff. We will get quotes for the gate and counter changes. Precautions, such as closing office doors when the occupant is

out of the office and not allowing the public to use the restrooms are practices that have already been implemented.

Meetings:

April 14<sup>th</sup> FERC inspection at Woodward and Frankenhiemer mini-hydros.

April 21<sup>st</sup> Tri-Dam meeting. Special meeting to approve refinancing of the Tri-Dam Power Authority bonds will be around April 28<sup>th</sup>.

April 29<sup>th</sup>, River Group meeting.

On Friday, April 8<sup>th</sup>, 3 slide gates were opened by vandals. Total damage is unknown at this time. Saturday, 5 more gates were opened with no damage. Division Managers; Joey Catanzarite and Larry Smith followed bike tire tracks to a house. They called the sheriff. A 13 year old boy admitted he was responsible for the vandalism. At this time it appears the boy's father is going to pay all damages.

Received a check from VAMP of \$441,000.

Relative to the Woodward Reservoir and the fact no cattle are grazing we have to cut a firebreak. We attempted to obtain bids, got one of \$2,000. We are going to do the cut with our D-4.

Stanislaus County Board of Supervisors approved calling for bids to do the work on the saddle dams per Safety of Dams. They want to take three years to complete the work, depending on bids received. We told them we have no problem as long as Safety of Dams approves.

Director's reports:

Schulz asked relative to the Burwood cemetery, and re- routing the pipeline around it. Gilton said we looked at skirting along the back, but some property owners were opposed to that route. We are currently looking at going along River Road. When asked the cost, Gilton said he would find out and let them know.

DeGroot asked who is responsible for the weeds at the Pump Station on Lathrop Road. Stroud said he would find out and have them take care of the problem.

Vice President Kuil called for closed session relative to litigation matters. District Counsel Emrick stated the Board will be discussing items a, b, and c in closed session.

- a) Conference with legal counsel, existing litigation. Gov. Code, S. 54956.9. Delta Keeper v. SSJID.
- b) Conference with legal counsel, Re: Anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9 ( c ).
- c) Conference with legal counsel, anticipated litigation, significant exposure to litigation. Gov. Code, S. 54956.9. Two cases.

Upon returning from closed session, District Counsel Emrick reported that the Board authorized retaining Bingham McCutchen to assist in defense of the Delta Keeper case.

There being no further business to come before the Board it was moved by Schulz, seconded by Kamper, and unanimously carried to adjourn to April 26, 2005 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary