

Manteca, California
April 13, 2015

The Board of Directors of the South San Joaquin Irrigation District met in special session in their chambers at 8:00 a.m. President Holmes called the meeting to order and led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER KUIL
ABSENT: ROOS

Also present were General Manager Jeff Shields, General Counsel Steve Emrick, Engineering Department Manager Sam Bologna, and Executive Secretary Betty Garcia.

Director Roos entered the meeting at 8:02 a.m.

Public Comment

None

CONSENT CALENDAR

- A. Approval of Warrants in the amount of \$406,806.14; A/P wires in the amount of \$328,361.96; payroll dated April 3, 2015 in the amount of \$197,369.79.
- B. Approval of the special Board meeting minutes of March 25, 2015.
- C. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Stanley & Ann Vander Veen, APN 208-160-08.
- D. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Tap Land Co., LP, APN 245-140-10.
- E. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Wagner Family Trust, APN 228-130-07.
- F. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Wagner Family Trust, APN 228-120-02.
- G. Amendment of credit card policy.
- H. Approval of employee pay schedule.

A motion was made by Director Roos and seconded by Director Kuil to accept the Consent Calendar, as submitted and passed 5 to 0 by the following roll call vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ACTION CALENDAR

Item #1 – Water Supply Forecast

Mr. Shields distributed information on the reservoir conditions and their water levels. He said he has been attending meetings with the Bureau of Reclamation discussing the Districts water rights. He indicated the District could possibly see curtailment orders this week. Mr. Shields said if we don't get more rain, next year the District will not make it through the summer for irrigation. Director Holbrook thanked Mr. Shields for doing a good job working with the Bureau and the Water Resources Control Board.

Item #4 – Consider request from Nur Al-Huda Academy for a variance to the pipeline replacement requirements related to the construction of a proposed school located at 1085 S. Union Road, APN 222-240-12, in Manteca

Mr. Sam Bologna, Engineering Department manager, indicated Nur Al-Huda Academy is proposing to build a school located on the west side of Union Road located on a parcel that is encumbered by a District easement for Lateral "Y". The District requires that developers replace the non-reinforced pipeline and comply with other standard requirements that relate to proposed developments of this nature. The Academy is requesting the Board consider allowing them to pay a maintenance fee in lieu of replacing the pipeline.

The board did not take action, however, they did refer Nur Al-Huda Academy to the City of Manteca to seek out financial assistance to do the pipeline replacement work on the property. The Academy may be ready to start construction at the end of the year. If the Board chooses to contribute to the project, the cost would be \$30.00 per foot for 42" pipeline.

Item #2 – Consider approval of Cellular Phone Use Policy

Mr. Michael O'Leary, IT Systems Administrator, stated the current cell phone policy was created in 1994. This policy must be updated to allow employees to use the cellular phones properly and to protect the District from unauthorized and unlawful use of the cellular phones.

A motion was made by Director Kamper and seconded by Director Kuil to adopt the updated District's Cellular Phone Use policy. Motion passed 5 to 0 as follows:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #3 – Consider change of policy for use of district facilities by irrigators to move water from private wells

Mr. Bologna reviewed a staff memorandum proposing a program to allow use of district facilities to transfer water from private wells during the 2015 irrigation season. Mr. Lindley, Finance and Administration Manager, described additional details of the proposal. Mr. Bologna confirmed that Mr. Lindley’s description was consistent with the recommendation in the staff memo. As described in the board meeting, the program exchanges private water for district water so the private water can be used to increase the supply of any parcel in the district that is connected to the irrigation distribution system, and at any time after the private water has been pumped. The program has the following provisions and requirements.

1. The owner or operator of a private well may pump well water to be used at the same location or a different location, into a district conveyance facility.
2. The quantity of water pumped will be added to the drought allotment for the receiving parcels.
3. Pumping into SSJID facilities can only occur when and where the ditch tender can make use of the water, and the ditch tender must control the pumping schedule.
4. The pump must have a meter that can be used to determine how much water is pumped.
5. After each pumping event, the ditch tender will report to the SSJID engineering department the quantity of water pumped.
6. The receiving parcels can use the additional drought allotment during regularly scheduled irrigation deliveries any time after the private water has been pumped into district facilities, and before the end of the 2015 irrigation season.
7. SSJID will bill the ordinary volumetric rate of \$3 per acre-foot for all water delivered under this program in order to avoid modifying billing software to distinguish between delivery of private well water or district water.
8. If any parcel has unused drought allotment at the end of the season it is lost and cannot be carried over to a future season.
9. An agreement to transfer private water designates the parcels which are to get the water, clarifies who is responsible for any damages resulting from this activity, gives ditch tenders permission and access to shut down the pump if necessary, and describes pump capacity.

A motion to adopt the program as described above and recommended by staff was made by Director Kamper and seconded by Director Holbrook. Motion passed 5 to 0 as follows:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #5 – Consider proposal from Davids Engineering to prepare an Agricultural Water Management Plan update

Mr. Bologna noted that Davids Engineering prepared the 2012 Agricultural Water Management Plan and they are familiar with the District’s system and has data available that was generated

from their previous efforts including the pressurized system feasibility study. The proposal also includes the task of updating the water balance to include the 2014 water season.

A motion was made by Director Holbrook and seconded by Director Kamper to conditionally approve the proposal from Davids Engineering to prepare an updated Agricultural Water Management Plan. Much of the work outlined in the proposal has already been completed in the pressurized irrigation study and the proposal must be changed to include time and material not to exceed \$58,770.

Item #6 – Consider approval of amended policy to discourage unlawful use of District Water

There are several amendments being proposed to the existing policy to clarify existing language and to add new provisions to better address the ongoing drought and the water allotment that is in effect this year. Director Kuil asked a question regarding item #1 in the staff report written by Mr. Steve Emrick, General Counsel, stating a customer will be charged \$75 an acre-foot when using water in violation of the policy. He believes the District should charge more. He also questioned the following sentence in item #3 of the staff report that states “In years when an allotment is not in effect the remedy would be exercised after the third violation of the policy.” He asked that this statement be removed from the policy. Director Holbrook agreed. Director Roos stated the District must be sure to give a written notification when it plans to remove a grower’s facilities after the second violation.

A motion was made by Director Kamper and seconded by Director Holbrook to adopt the amended policy to discourage unlawful use of District water with the addition of language that removal of a grower’s facilities for repeat violations of the policy is an additional remedy that would be exercised only after prior written notice. Motion passed 5 to 0 as follows:

AYES:	HOLBROOK HOLMES KAMPER KUIL ROOS
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

Item #7 – Consider contract adjustment for General Manager after Closed Session

This item was not discussed.

Item #8 – COMMUNICATIONS

Director Kamper said the Almond Hullers and Processors Association produces a newsletter and despite all the focus on almonds recently, almonds make up less than 12 percent of the state’s total irrigated farmland and use only eight percent of the state’s agricultural (not total) water. He also noted that the April 15 Advisory Water Commission package contains several letters, including one from Metropolitan Water District, requesting that the “beneficial use” clause for groundwater recharge in pending legislation be removed.

Director Holbrook said that Mayor Steve DeBrum of Manteca wrote an article about saving water on toilets. He has pamphlets on the ultra-high-efficiency toilets and asked the District to send the information to the city of Lathrop, Manteca, and Tracy.

Director Kuil noted the Groundwater Basin Authority meeting was cancelled but the GBA Coordinating Committee met and discussed grants and who could apply. He also attended the Tri-Dam Project Advisory Committee meeting last Thursday.

Director Holmes reminded the Board of the Tri-Dam Project Advisory Committee meeting and they are looking into how to become a GBA authority. He suggested the District contact Davids Engineering to draft a plan for the District.

Ed Erisman, Water Treatment Plant Operations Manager

- The new water operator should be starting soon. He has to take his physical and pass the background checks.
- Staff will be re-installing plant recycle pump #2 with the help of the District crane.
- Staff is installing water and sewer lines for the new maintenance building. A Fire hydrant will also be installed at this location. The main power wires for the building will be pulled on Friday.

Bere Lindley, Finance & Administration Manager

- Allotment transfers and master accounts are working well; the customers work with Julie and they are pleased with the process.
- He reported the auditors' field work is complete and he will be ready to present the audit at the May 26 meeting.

Troylene Vallow, Communications Coordinator

- Boys & Girls Club Hall of Fame is on May 9.
- Ripon Community Fund/Rotary Gold Tournament.

Sam Bologna, Engineering Department Manager

- He and Jeff Shields met with developers on March 26 to discuss Zone 39.
- Today we are testing the hole for the Division 9 well.
- Possibility of a dirt sale.

Joe Catanzarite, Operations Water Supervisor

- Task force has been working with the growers to verify the water deliveries on their parcels.
- The irrigation flows are slow and some growers are waiting 30 days to take water. We do not want to run magnacide when flows are slow because it could cause problems in the canals.

Jeff Shields, General Manager

- He gave a drought update at both the City of Lathrop and City of Manteca city council meetings. The City of Manteca has adopted the rules for water conservation and implemented at mandatory 25% reduction in use.
- He stated the San Joaquin County Flood Control & Water Conservation District has been sending out protest forms for the proposed water investigation zone fees. He said this is a

Proposition 218 election process and it will probably pass because most people who receive them toss them out without reading the information.

The following structure permits were approved:

- Dave Schaapman, APN 229-160-28, Lateral "A219dd"
- Don Freitas, APN 226-110-19, Lateral "W"

The following structure abandonments were approved:

- Ison, Inc., APN 228-040-01, three 36" valves located on Lateral "T"

The following encroachment agreements were approved:

- Don & Marie Freitas, APN 226-110-29, Lateral "W" and Lateral "W225dd"

It was announced that item 9a, b, c & d would be discussed in Closed Session.

Item #9 – Closed Session

- a. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
 - 1 case

- b. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9 (d) (1)
Bonde v. SSJID
San Joaquin County Superior Court
Case No. 39-2013-00300234

- c. Public Employment Performance Evaluation
Government Code Section 54957
Annual review of General Manager employment agreement

- d. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9 (d) (1)
PG&E v. San Joaquin LAFCo
San Joaquin County Superior Court
Case No. 39-2015-00321743-CU-JR-STK

Upon their return from closed session, President Holmes reported on item 9c:

Item #9c – Annual review of the General Manager employment agreement

It was announced that Mr. Shields asked the board not to renew his contract on June 1, 2015, and to allow for an orderly transition, amend the contract on a month to month basis that does not exceed the date of December 31, 2015. It was agreed that his employment contract will be amended accordingly.

Item #10 – ADJOURNMENT

There being no further business to come before the Board, it was moved by Director Kamper and seconded by Director Kuil to adjourn the meeting at 11:20 a.m. Motion passed 5 to 0 as follows:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST: _____
 Betty Garcia, Executive Secretary