

Manteca, California
April 14, 2009

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 KUIL KAMPER SCHULZ ROOS

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

President Kamper 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 \$1,521,220.10 consisting of \$904,200.51 in checks, \$281,175.19 in wires, and Net Payrolls of \$335,844.40.
- B. Regular Board Meeting Minutes of March 24, 2009 and Special Board Meeting Minutes of April 1, 2009.
- C. Consider Resolution No 09-04-V, authorizing the sale of Property No Longer Necessary for District Purposes.

RESOLUTION NO. 09-04-V
AUTHORIZING 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 the following International 125C Crawler Loader with a four in one bucket for sale listed below:

| <u>DISTRICT I.D. NO.</u> | <u>SERIAL NUMBER</u> |
|--------------------------|----------------------|
| 41-74 | 4500002U001848X |

Are no longer necessary for District purposes and that it is in the best interest of the District to sell said property; and

| <u>DISTRICT I. D. NO.</u> | <u>FAIR MARKET VALUE</u> |
|---------------------------|--------------------------|
| 41-74 | \$4,000.00 |

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> |
|--------------------------|----------------------|
| 41-74 | \$3,500.00 |

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 this 14th day of April 2009.

- D. Accept and File Notice of Completion for Conlin Fencing.
- E. Accept and File Notice of Completion for Laterals Q and R Shot Crete Projects (SSJ-2008-01).

Motion by Director Roos, seconded by Director Holbrook, to approve the Consent Calendar Items as presented.

PASSED AND ADOPTED this 14th day of April 2009 by the following roll call vote:

| | | | | | |
|-------|----------|------|--------|--------|------|
| Ayes: | Holbrook | Kuil | Kamper | Schulz | Roos |
| Noes: | None | | | | |

Consider awarding contract for the FCOC Culvert Replacement Project SSJ-2009-01. Bologna said 13 contractors' submitted bids for the project. The low bidder was Ross F. Carroll, Inc., @ \$754,469.00 plus a \$75,446.90 contingency, making the total \$829,915.90. Bologna said the District will incur additional costs for construction administration, inspection, testing, staking, and prior design changes which are estimated to be \$52,490.00 which will bring the total cost of the project to \$882,405.90. Bologna asked the Board to award the contract to Ross F. Carroll, Inc. at \$754,469, authorize staff to approve change orders to a total contract price not to exceed \$829,915.90, and to further authorize staff to contract for the additional services at the additional costs as listed above at \$52,490.00. Motion by Director Kuil, seconded by Director Holbrook, and unanimously carried to authorized awarding the SSJ-2009-01 to Ross F. Carroll, Inc., at \$754,469.00 to authorize staff to approve change orders up to an additional \$75,446.90 for a not to exceed total of \$829,915.90 and to authorize staff to contract for the other services as listed above at a not to exceed \$52,490.00.

Consider awarding contract for the Nick C. DeGroot WTP; for cleaning two tanks at the Plant and three tanks at the pump stations. Hubkey said we got three bids in 2007, with Liquid Vision Divers low at \$13,570; the other two were \$36,000 and \$19,750 from Big Valley Divers and North State Divers, Inc., respectively. Liquid Vision said they would do the work this year for \$11,970, \$1,600 less than in 2007. They also gave us a quote to clean the sidewalls for \$6,200. Hubkey recommended authorizing the General Manager to execute an agreement with Liquid Vision Divers not to exceed \$18,170. Motion by Director Schulz, seconded by Director Roos, and unanimously carried to approve authorizing Liquid Vision Divers to do the tank cleaning at a cost not to exceed 11,970 and to authorize an additional \$6,200 for cleaning the side of the tanks.

Consider awarding Citric Acid Engineering Study to Forsgren & Associates. Hubkey said he recommends this be approved because we are at a point when and if the Cities increase their demands for water we may not be able to accommodate them. Hubkey said the study will provide information on evaluating the citric acid usages, storage and/or neutralization, and new sludge drying bed. Director Kuil asked if the study will look at putting sludge on agricultural land. Mr. Forsgren told the Board that would be one of the areas of his study. Motion by Director Holbrook, seconded by Director Kuil, and unanimously carried to approve an agreement with Forsgren & Associates at a not to exceed cost of \$25,000.

Consider authorizing purchase and installation of a fuel dispensing system at water treatment plant. Hubkey said we need this to avoid having to make trips to the District yard for fuel which takes about one hour. Directors asked how long will it take to recover the \$32,314 cost of this tank and pump, did you look at different size options, such as 8,000 gallon tanks. Hubkey said he didn't analyze the actual savings or the larger tank. Director Schulz suggested looking into a key-lock fuel provider in Escalon. Motion by Director Holbrook, seconded by Director Kuil, to approve contract with Stockton Service Station at a cost of \$32,314. Motion failed, Holbrook voted "YES", and Kuil, Kamper, Schulz and Roos voted "NO".

Discussion and possible action concerning Technical Memorandum proposed by Stantec relative to the Division 9 Irrigation Enhancement Project. Bologna said Stantec has incorporated comments made at the December 9, 2008 Board meeting. Mike Persak of Stantec gave a Power Point presentation, with assistance from Ron Nydam and Herman Drost. They showed the ponds and the lines and how the project will operate to serve pressurized water to farmers on demand. Several questions were asked that need to be resolved.

- Where are the two wells going to be located and what is the cost of those pumps?
- Who pays for the lines from the point of connection? Nydam said you may want to set up Improvement Districts to pay for these and to look at what if anything you may want to charge those who do hook up. Offer financing; he said these are policy decisions the Board will have to make.
- Has the system been modeled to see if there is adequate water to take on those currently irrigating with groundwater and not impact those currently taking water out of these lines?
- Look at the traveling screens and make sure they will work. Also, what and how do you collect debris from the screens?
- Determine sizing for hookups.
- Look at options for those currently using water and those not using water. Do a cost/benefit analysis of hooking up to the new system or continuing as they have in the past.
- Prepare specifications and plans for those who want to hook up to our system, and calculate the costs.

Emrick said the proposed time schedule may have to be changed, for example did you allow for CEQA Study?

Motion by Director Holbrook, seconded by Director Kuil and unanimously carried to move ahead as recommended by staff but to look at the questions above.

Consider conceptual approval of request by Manteca Ambulance District Service to convert a portion of open drainage canal (Drain 4) from easement to fee in lieu of making stipulated improvements to Drain 4. Bologna said the landowners will deed us the portion of land 60 feet wide approximately 0.7 of an acre. The landowner is remodeling an existing house and construction of a 900 square foot garage to accommodate an ambulance service. The improvements will not affect the District's Drain 4. He recommended conceptual approval of the proposal to dedicate land to the District in lieu of requirements to replace facilities. He said the owner will prepare a legal description for the transfer and submit plans for approval which identifies any other improvements which may affect District facilities such as the domestic water line that is located within Airport Way. Emrick asked if this land will drain into Drain 4. Sam said no. Motion by Director Schulz, seconded by Director Holbrook, and unanimously carried to conceptually approve request as recommended.

Consider accepting transfer of a portion of the old Lateral "A" pipeline to the Trustees of the Weeda 2002 Living Trust. This section of the line was left in place when a new line was installed and the District has no use for it. Bologna said the portion of the line will be deeded to the Trust and they will have responsibility for the pipeline. Bologna recommended approval as requested. Motion by Director Schulz, seconded by Director Holbrook, and unanimously carried to deed the portion of Lateral "A" as requested.

Consider approval of an amendment to Irrigation Service Abandonment Agreement #1166 (Inst. #98044147), Noli & Rowena Carbonell, APN 198-050-15. Motion by Director Holbrook, seconded by Director Kuil, and unanimously carried to authorize the amendment to ISAA #1166 and authorize execution of same.

Consider approval of an amendment to Irrigation Service Abandonment Agreement #625 (Inst. #92046123) Ripon Unified School District, APN245-340-33. Bologna asked this item be tabled until further study can be completed.

Accept completion of the second phase of the Solar Project and record Notice of Completion for SunTechnics Installation and Services, Inc. and authorize payment of invoices. Emrick told the Board the work is complete and SunTechnics has requested that we pay their 5% retention. He said we recommend that the Board approve the project and authorize execution and recording of the Notice of Completion and authorize execution of same. Battles said there are about 89 broken panels that SunTechnics needs to replace. When asked if that was not a lot of damage, Battles said the industry average on the thin panels is 2%, the 89 is actually less than 1%. Motion by Director Holbrook,

seconded by Director Schulz, and unanimously carried, to approve the project, authorize recording the Notice of Completion and authorize the execution of same.

Authorize vote on South Delta Water Agency Assessment. Emrick said they want to raise fees to finance further litigation. He asked the Board authorize the General Manager to vote. Motion by Director Kuil, seconded by Director Kamper, and unanimously carried to authorize the General Manager to vote "NO".

Consider authorizing a contract with First Solar to monitor production for the Robert O. Schulz Solar Farm. Emrick said they will do the monitoring for free. First Solar manufactured and sold the thin panels for the 2nd phase of the Solar Farm. First Solar wants to do this in order get comparisons between the second phase's thin screen and the first phase's crystalline system. Director Kamper asked if there is a cancellation clause. Emrick said no but he has sent the draft back with changes and that is one of them. Director Holbrook asked if we could put in our own monitoring system. Battles said we could but our contract with Fat Spaniel is for 10 years; so it would be an unnecessary expense at this time. Motion by Director Holbrook, seconded by Director Kuil, and unanimously carried to deny First Solars offer to monitor production.

Consider awarding contract for landscaping the entrance to the Robert O. Schulz Solar Farm. Battles said we received two bids, although we sent out RFP's to five companies. One from Stewart Property Services, Ripon of \$9,425 and one from C&W Landscape Maintenance, Escalon for \$6,542.71. Battles recommended accepting the low bid from C&W who does our maintenance at both the District corporate yard and the WTP. Director Holbrook said the C&W bid doesn't include bark. Battles said I am sure it was just an oversight, I will ask him to include it at no increase. Motion by Director Holbrook, seconded by Director Kuil, to accept the proposal of C&W Landscape at not to exceed \$6,542.71 provided it includes all specs, particularly bark.

President Kamper asked Manager's reports.

Battles reported:

On his attendance at the California Municipal Utilities Association Conference in Rancho Mirage 2 weeks ago. Usually the theme is power. However, this year they talked about water. Also, the attendance was about 50% of normal. Jerry Johns, of Water Resources Control Board told an audience that the State has told purchasers such as Metropolitan Water District that they will receive 33% to 50%; actual amount is to be determined by May 1st.

Shields reported:

P.G. & E. spent \$25,000 supporting Carlon Perry to unseat one of the District's Board members. Mr. Perry said that they did this without his knowledge.

Latest projections at New Melones are 727,098 acre feet. If they are correct we would receive 100% of our allocation. The State raised the percentage for State Contractors from 15% to 20%.

Spoke at a luncheon for the California Women for Ag. Also spoke at the Grange in Ripon.

Woodward current elevation is 207.5, it should be full by Friday April 17th.

Tri-Dam meeting is Thursday, April 16, 2009 in Strawberry at 9:00 a.m.

Sayler reported:

The District will be sponsoring the SJ Farm Bureau Federation's Annual Meeting and dinner on May 8. Our sponsorship allows for 15 tickets to the dinner, so let me know if you want to attend.

The District was well represented at the recent Manteca Street Faire, where volunteers shared information about water conservation and our retail electric plan.

Copies of the District's new logo were handed out. Director Holbrook asked if a committee did this. Saylor said yes we did have a committee. Saylor said we need to move on this as soon as possible to have the new logo available at our 100th anniversary. The consensus of the Board was they liked the new logo and staff should move forward.

President Kamper asked for Director reports:

Holbrook said the San Joaquin Water Advisory meeting is April 15. He said there is an article in the agenda from a lawyer at Neumiller and Beardslee that is interesting. In the same packet is a copy of SSJID's latest Newsletter.

Kamper asked about the two traveling screens at the Northwest Project. Suggested that we look at placing them in other open ditches, such as the Rg.

Kamper asked the Board to closed session. District Counsel Emrick one item in closed session.

- Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9.

Upon returning from closed session District Counsel Emrick stated 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 28, 2009 at 9:00 a.m. in their chambers.

ATTEST:

John Stein, Assistant Secretary