

Manteca, California  
April 22, 2003

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

Upon roll call the following members were noted present:

DIRECTORS: DEGROOT                      KAMPER                      SCHULZ                      ROOS

Also present were Secretary/Manager Stroud, District Counsel Emrick, and Engineering Department Supervisor Bologna.

President Schulz 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. Warrants of \$587,681.74.
- B. Regular Board Meeting Minutes of April 8, 2003.
- C. Approve 35 Service Abandonment Agreement #'s 1343 through 1377.

Motion by DeGroot, seconded by Roos, to approve the Consent Calendar Items above as submitted with the exception of Agreement #'s 1354, 1355, 1358, 1359, 1360 and 1361 in Item C. The excepted Agreements listed are to be put on the agenda for the next meeting.

PASSED AND ADOPTED the 22<sup>nd</sup> day of April 2003 by the following roll call vote:

Ayes:	DeGroot	Kamper	Schulz	Roos
Noes:	None			

Purchase of a Tech 2 Engine Analyzer for the Shop considered. Stroud said the analyzer will improve the productivity of the Shop. It can read computer codes when the check engine light comes on, it should save at least 50 trips annually to the Dealership to have them diagnose and make repairs that, if we had the analyzer, we could have made the repairs without having two people take a vehicle in and later return to pick it up. Stroud recommended we purchase the analyzer at a cost of \$5,382.11.

**Motion by Kamper, seconded by DeGroot, and unanimously carried, to authorize purchase of a Tech 2 Engine Analyzer at a cost of \$5,382.11.**

Purchase of a jackhammer attachment for the 416D Backhoe considered. Stroud said this is a budgeted item at a cost of \$22,600. We have two options: 1. Purchase a new jackhammer at a cost of \$16,243.31, or a used one for 9,374.25. Stroud recommended purchasing the reconditioned jackhammer at a savings of almost \$7,000.

**Motion by Kamper, seconded by Roos, and unanimously carried, to purchase the used jackhammer from Holt Bros at a cost of \$9,371.25.**

Consider recommendations for the approval of a plan for a Quarry Permit initiated by George Reed Inc., (Reed) which effects Lateral "H" located on N&F Farms (Bellino Ranch) property. Bologna said the quarry is located on the corner of Harrold and River Roads. Reed has agreed to reroute the line around their property. San Joaquin County Planning Commission has approved the plan with our conditions. The affected portion of the "H" Line will be upgraded from a 36" to a 42" line. Reed will dedicate a new easement. Per the Agreement requirements the pipe will not be replaced until the excavation reaches 50 feet from the Lateral. Our cost for reimbursement, if the work were to be done today, would be \$17.50 per foot for 1,910 feet, or \$33,425. Bologna recommends approval and authorization to execute the Agreement, subject to compliance with the Special Conditions and Requirements referenced in Exhibit "C" of the Developer's Agreement.

**Motion by Kamper, seconded by DeGroot, and unanimously carried, to approve and authorize execution of Agreements, subject to compliance with those Special Conditions and Requirements referenced in Exhibit "C" of the Developer's Agreement.**

Director Roos asked about the Reimbursement Policy for Developers, and how this qualifies, since this is not a Developer. Emrick stated it applies because the Pipeline Replacement Policy applies to developments, and does not limit its application to housing development.

Consider request from John Seibert for District to abandon a portion of Lateral "TBAA" located at 1407 Titleist Place in the City of Manteca. Bologna said Mr. Seibert doesn't want to remove the pipe, however he will sign an Agreement assuming responsibility for the abandoned pipe. Emrick said we should Quitclaim the Easement and sell the pipe to Mr. Seibert. Establishment of his ownership of the pipeline would resolve any liability the District may have.

**Motion by DeGroot, seconded by Kamper, and unanimously carried to approve quit-claiming the Easement and selling the pipeline to Mr. Seibert as recommended by General Counsel Emrick.**

Consider revision to the District's Substandard Sprinkler Sump Program and a New Sprinkler Sump Program. Stroud recommended approval of the Policy as submitted. He recommends it be made retroactive to March 1, 2002. He said the recommended program changes will cost approximately \$120,000 spread over two years, based on forty substandard sumps. A more accurate estimate will be available once existing sumps are evaluated in light of the revised

program criteria.

**Motion by DeGroot, seconded by Kamper, and unanimously carried, to approve the revised policy for modification of existing sprinkler services with an effective date of March 1, 2002.**

Consider proposal from Central San Joaquin Water Conservation District (Central) relative to a water sale. Reed Roberts and Grant Thompson addressed the Board and asked if SSJID would be willing to sell water to Central this year at \$15.00 per acre foot. They thanked the Board for last years sell and for considering selling water to them this year. They said because they are getting no water from the Bureau, if they can't buy water from us, they will have to pump, which will have an adverse effect on the groundwater. Their argument being a 15,000 acre feet water sale would benefit both SSJID and Central.

**Motion by Roos, seconded by DeGroot, to authorize the sale of 15,000 acre feet at \$15.00 per acre foot. Additionally, if on or before July 1, the District determines there is more water available, it will be offered to Central at \$15.00 per acre foot. Motion Carried, 3 Ayes, 1 No, with Director Kamper voting No.**

Consider approval of Revised Scope of Work for the Consulting Contract with Paul Elias. Emrick said we need an extension on the original contract at an additional cost of \$16,000. He recommended approval.

**Motion by Roos, seconded by Kamper, and unanimously carried, to approve the extension as requested by Mr. Emrick.**

Approve appointment of an Interim Director for Division 4. DeGroot said he and Director Schulz interviewed four candidates. After serious consideration, it was their recommendation that Dale Kuil be appointed as Interim Director for Division 4.

**Motion by DeGroot, seconded by Kamper, and unanimously carried, to appoint Dale Kuil as Interim Director for Division 4.**

Consider approving cancellation of Irrigation Service Abandonment Agreements #'s 225 and 1274.

**Motion by Kamper, seconded by Roos, and unanimously carried, to approve cancellation of Irrigation Service Abandonment Agreements #'s 225 and 1274.**

Discussion of staff recommendation to Regional Board relative to Ag Waiver. Stroud said the State is looking at placing the responsibility for drainage on local agencies. He said the comment period has been extended to May 20, 2003. Stroud asked the Board permission for he and General Counsel Emrick to continue working with the River Group during this process. It was the consensus of the Board to authorize staff to continue working with the River Group. No action was taken.

General Manager Stroud reported the following to the Board.

Asked if the appointed Division 4 Director, Dale Kuil, should be assigned to the same committees Lloyd was assigned to. The Board concurred that Kuil should replace Lloyd on all committee assignments.

The annexation fee went up 4 2% since 1990, from \$110 to \$156 per acre, not \$1,400 + that was reported in an earlier Board Meeting. The error occurred when Engineering News-Record changed the base year for the index. The Resolution will be corrected to show the correct base year information.

Said he received a call from Joe Peterson of the Farm Bureau relative to Manteca's proposed expansion of its Redevelopment Area, asking if the District had any concerns. Stroud told him we do, and Mr. Peterson said he would pass along the District's concerns to County Supervisor Ornellas.

The Maintenance Department applied Magnacide on April 17<sup>th</sup>.

Current Water Use Reports were handed out.

Reported we replaced about 400 feet of the "La" Lateral with RGRCP on an emergency basis due to excessive deterioration. The adjoining landowner is to be commended for expeditious relocation of private property stored on the District's easement.

Don Pedro Pump inspected the Johnson Pump and found no problems that would cause excessive noise.

Said we have some personnel shortages. Strmiska, Sr., having shoulder surgery next week. Pendleton will be off while his wife is having a baby. Mullins has been off six months, and has applied for a permanent disability. Betchart quit. Coffey quit. Geer Sr. has had surgery on his knee. These staffing shortages have adversely affected maintenance activities. As per the Board's direction, short term, temporary workers are considered whenever staffing shortages delay critical activities.

Reporting on the SCADA overview evaluation prepared by Boyle Engineering is complete. A copy will be provided to Board members. If the Board would like a presentation by Boyle, staff will make arrangements.

Relative to the Water Treatment Plant Project, we sent a letter to the Corp of Engineers and Fish and Wildlife two weeks ago expressing concern over the length of time it is taking to process the permit. We applied for the permits one year ago, and according to F&W, they placed it with an intern because it was not a complicated application. However, they have now placed it with a

senior staff member and will provide the biological opinion to the Corps within 1 to 4 weeks. The Corps indicated it will take them 1 to 4 weeks to issue the permit.

Reported that San Joaquin County Public Works issues, relative to the Water Treatment Plant Project, have been resolved except for a 3% fee for pipeline inspection work.

Reported attending Manteca's City Council meeting with Grant Kreinberg last night. Bob Adams, City Manager, has concerns about permits and is suggesting to the Council that they not move forward until the permits are issued. Councilman Snyder asked at the meeting why this is a problem now, since he was made aware the permits were not issued, when he attended the New Council Member Briefing in January. Stroud said construction bids are good until the end of May. Due to Adams questions we will try to get the bidders to extend the bids, or we will have to reject them.

President Schulz adjourned the meeting for a lunch break.

Upon returning from lunch Manager Stroud continued his report.

On April 29, 2003 at 1:00 p.m. a Special Board Meeting will be held relative to retail power.

Board members were asked who plans to attend the APPA Conference in June. Directors Schulz, Kamper and DeGroot said they are, Director Roos said he is undecided.

Received a check for \$419,114.95, for our portion of the VAMP water released in 2003.

Read the following Encroachment Agreements into the record:

McPherrin, APN 229-170-94, to encroach upon District Lateral "B-15 easement with a driveway to a private residence.

Hicks, APN 202-430-02, to encroach upon District Lateral "Td" easement with a swimming pool.

President Schulz asked for Directors reports:

Roos asked about check # 34423 to Department of Health Service, State of California-Drinking Water Program in the amount of \$2,925. Stroud said the charge is for an oversight of our public water system by the Department. The billing is authorized under Section 116565 of the Health and Safety Code., and we have no choice but to pay this bill.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update. General Counsel Emrick reported 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. OID, SSJID v. Laro Coal and Iron-California Co., Inc., and SSJID v. Merlyn Eugene Petz.

- b) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9. 10 Cases.
- c) Conference with labor negotiator, Stevan Stroud. Relative to labor contract with IBEW. Gov. Code S. 54957.6.

Upon returning from closed session, there being no further business to be resolved, it was moved by Roos, seconded by Kamper, and unanimously carried, to adjourn to April 29, 2003 at 1:00 p.m.

ATTEST

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John Stein, Assistant Secretary

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