

Manteca, California  
May 14, 2002

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

Upon roll call the following were noted present:

DIRECTORS: DEGROOT      SCHULZ      KAMPER      ROOS      HAWORTH

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

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

General Manager Stroud asked that items "D", "E", "F", "G", and "K" be moved to the action calendar.

- A) Approval of District Warrants of \$862,262.11 and payrolls of \$131,549.51.
- B) Approval of April 23, 2002 Regular Board Meeting Minutes, and Special Board Meeting Minutes of April 26, 2002 and May 6, 2002. Assistant Manager Stein said on the April 23<sup>rd</sup> minutes, page 2, relative to Lateral "Ue" in Ripon, the following should be added to the motion: "The District will continue to investigate possible solutions to finding an alternate source of reasonably priced water for the five parcels historically served by Lateral "Ue." located in the 300 block of Wilma Avenue."
- C) Approve Resolution 02-11-V and 02-12-V, Authorizing Sale of Property No Longer Necessary for District Purposes.

#### **RESOLUTION NO 02-11-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 the vehicle listed below totaled due to vehicular accident;

**DISTRICT I.D. NO.**  
204-02

**SERIAL NUMBER**  
1GCEC14X52Z268910

**WHEREAS**, the Board of Directors finds that it is in the best interest of the District to sell the damaged vehicle as salvage;

**NOW, THEREFORE BE IT RESOLVED AND ORDERED** that the Assistant General Manager of the District is authorized to sell said property to whoever presents the highest cash offer.

**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 as salvage.

**PASSED AND ADOPTED** on this 14th day of May 2002.

**RESOLUTION NO 02-12-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 Three Pickups and one SUV listed below:

<u>DISTRICT I.D. NO.</u>	<u>SERIAL NUMBER</u>
231-99	515785
217-98	177162
207-98	179377
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>
231-99	7,600.00
217-98	5,500.00
207-98	5,500.00
201-93	4,050.00

**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>
231-99	7,200.00
217-98	5,200.00
207-98	5,200.00
201-93	3,800.00

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 14th day of May 2002.

- H) Cancellation of Irrigation Service Abandonment Agreements 1074 and 1075. J & J Farms, APN's 243-120-14 and 243-120-15.
- I) Accept proposal for appraisal services from Tarwater Appraisal Company for S.I.D.E. Project, and authorize General Manager to execute necessary documents.
- J) Authorize approval of plans and signature of Agreement with the City of Lathrop relative to the Lathrop Road Crossing.

Motion by DeGroot, seconded by Haworth, to approve the Consent Calendar Items as corrected.

PASSED AND ADOPTED this 14<sup>th</sup> day of May 2002 by the following roll call vote:

Ayes:	DeGroot	Schulz	Kamper	Roos	Haworth
Noes:	None				

- D) Accept and file Notice of Completion for the Dutra Farm Southeast Development. Director Haworth abstained from discussion on this matter due to a possible conflict of interest. Bologna said the work required by the District is complete and he recommends approval. **Motion by Schulz, seconded by Kamper, to accept and file the Notice of Completion for the Dutra Farm Southeast Development as recommended.**

**Passed and adopted by the following roll call vote:**

<b>Ayes:</b>	<b>DeGroot</b>	<b>Schulz</b>	<b>Kamper</b>	<b>Roos</b>
<b>Noes:</b>	<b>None</b>			
<b>Abstain:</b>	<b>Haworth</b>			

- E) Accept and file Notice of Completion for Farinelli Ranch # 1 and 2, Developments. Bologna asked that this item be tabled until either the last meeting this month or the 1<sup>st</sup> meeting in June. No action was taken.
- F) Accept and file Notice of Completion for Lateral "U", East Shadow Glen Development. Bologna said the District's share of this project was projected at \$70,181.33, however there were additional costs of \$6,000 for the box and \$1,200 for bonds. The additional cost was the result of the District's inability to require replacement of a box at the time the Agreement was made to replace the line. Under the terms of the Agreement, the City will attempt to get reimbursement when the remainder of the adjacent property is developed. Sam requested Board approval to pay \$77,388 as District's portion of the cost. **Motion by Roos, seconded by Haworth, to accept and file the Notice of**

**Completion and to authorize the District to pay \$77,388 as District's share of the cost. Motion carried, 4 Ayes, 1 No, with Director DeGroot voting No.**

- G) Accept and file Notice of Completion for Lateral "U" Doak Road Improvement Project. Bologna said the District cost for this 48" line is \$25 per foot. The Developer installed 3,344 feet, which equals \$83,600.00. **Motion by Roos, seconded by DeGroot, and unanimously carried, to accept and file the Notice of Completion for the Lateral "U" Doak Road Improvement Project and approve paying up to 3,460 feet at \$25.00 per foot.**
- K) Consider approving plans for the City of Ripon's River Road Extension Project and authorize signature of Developer's Agreement and Encroachment Agreement for same. Bologna said the reimbursement for replacement of pipeline in accordance with District policy if 518 feet @ \$24.00 per foot, for a total of \$12,432.00. Bologna said there is still a strip of land that the District owns, approximately 1/10th of an acre, that the City of Ripon wants to purchase from the District. Bologna recommends approval of the plans and authority to sign all necessary documents. **Motion by Haworth, seconded by Roos, to authorize signature of plans and related documents, subject to the following: Motion Carried, 4 Ayes, 1 No, with Director DeGroot voting No.**
1. Receipt of signed Developers Agreement containing stipulation concerning replacement of the remaining pipeline with construction of south half of the road.
  2. Signature of Encroachment Agreement by City of Ripon.
  3. Dedication of new easement to accommodate project.

Consider conditional approval of encroachment request by California Correctional Supervisors Organization. The California Correctional Supervisors Organization wants to encroach 7 feet into our easement. This would put them 13 feet from the pipeline. The line is only used for one customer downstream. The Division Manager said the line is only used every 20 days and there is no pressure on the line. **Motion by Schulz, seconded by Haworth, and unanimously carried, instructing staff to draft an agreement with the California Correctional Supervisors Organization granting the encroachment with requirements for liability coverage, design specifications, etc., that protect the District. The Agreement is to be approved by District's General Counsel, Stevan Emrick.**

**Director Haworth left the meeting at 10:10 a.m.**

Consider approval of Agreement for payment of delinquent PG&E Account. Emrick reported that from March 1, 2001 through April 6, 2001 PG&E did not pay the District for power produced at Woodward and Frankenheimer. However, TID did pay the District for District's portion of the power produced. PG&E will pay us the unpaid balance over 12 months and interest at 5%. He recommends authorizing execution of the Agreement. These funds will be paid to Turlock Irrigation District as received. **Motion by DeGroot, seconded by Schulz, and unanimously carried, to authorize execution of the Agreement and payment of the above amounts to TID.**

Authorize approval of the Dutra Farms NE Development Project including signature of a Grant of Easement, Quitclaim, Encroachment Agreement, Developers' Agreement, and Structure Abandonment Agreement. Bologna recommends approving the following subject to compliance with standard requirements and authorize signatures of the following upon review and approval of the Engineering Department: 1. Final Map. 2. Improvement Plans. 3. Irrigation Service Abandonment Agreement (Frontier Land Parcel). 4. Developer's Agreement. 5. Quit-Claim Deed for the former lateral "Yb" easement. 6. Structure Abandonment Agreement (authorizes removal of structure at the end of the Lateral "Yb"). **Motion by DeGroot, seconded by Schulz, and unanimously carried, to approve as recommended by staff, subject to compliance with standard District requirements.)**

Consider awarding bid for construction of Phase II of the NW Pipeline Project (S.I.D.E.). Gilton said the bids were opened on May 10<sup>th</sup>. Low bid was by Conco West, Inc. at \$2,445,800.00. Mountain Cascade and McGwire and Hester bids were \$2,479,559.00 and \$2,800,000.00 respectively. Gilton said he needs an additional \$65,000.00 for construction inspection and a contingency of \$100,000.00. **Motion by DeGroot, seconded by Kamper, and unanimously carried, to award the bid to Conco West, Inc., at \$2,445,800.00 and to allow \$65,000.00 for construction inspection and \$100,000.00 for contingency as requested.**

President Kamper called for Managers and Directors reports:

Stroud reported that through May 11<sup>th</sup> we have used 49,000 acre feet of water. Currently we are diverting 600 cfs at Goodwin and releasing 560 cfs from Woodward. The elevation at Woodward is 208 feet.

Stroud reported that the State is looking at taking property taxes from counties, cities and special districts to help offset the deficit the State has. He said that the property taxes are pledged to pay bonds, however, this may not give us protection from the State. The last he heard the State was looking at taking 40%. Stein said this would amount to approximately \$800,000.00.

Stroud said we will need to update the Raw Water Pricing for the Cities.

Stroud reported that he signed the Agreement with Chevron.

Roos asked if we are taking power from Modesto Irrigation District along the Main Distribution Canal. Stein affirmed that the drops adjacent to MID's lines and the Control Room on Carrolton are served by MID.

Schulz asked if the VAMP water was released this year into the Stanislaus River. Emrick said it was released and that currently MID is storing 6,000 acre feet and may take an additional 3,000 this year.

President Kamper called for Closed Session relative to litigation matters, personnel matters, and labor update: General Counsel Emrick reported items a), c) and e) will be discussed in a closed session.

- A) Conference with real property negotiators. Property: 4513 East Lathrop Road, Manteca, CA. APN 197-020-12. Negotiating parties: SSJID, and its agent's Grant Krienberg, Steve Long, Steve Emrick, and current owner, Southwest Truck Service. Under Negotiation: Price and terms of payment.
- C) Conference with legal counsel, anticipated litigation, initiation of litigation. Gov. Code S. 54956.9 (c). Two cases.
- D) Conference with labor negotiator. Agencies designated representative: Stevan Stroud. Employee organization: Management Unit. Gov. Code, S. 54957.6.

Upon returning from a closed session, General Counsel Emrick reported there was no reportable action taken in a closed session.

There being no further business to come before the Board, it was moved by Roos, seconded by DeGroot, and unanimously carried, to adjourn to May 28, 2002 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary

