

Manteca, California
May 22, 2007

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: KAMPER KUIL SCHULZ ROOS

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

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, except he asked that item "C" be moved to the action calendar.

CONSENT CALENDAR

- A. SSJID Warrants of \$335,896.68.
- B. Regular Board Meeting Minutes of May 8, 2007.
- C. Approve Resolution No 07-09-S, Updating South San Joaquin Irrigation District's Injury and Illness Prevention Program.

SOUTH SAN JOAQUIN IRRIGATION DISTRICT RESOLUTION NO. 07-09-S ADOPTING REVISED INJURY AND ILLNESS PREVENTION PROGRAM

WHEREAS, South San Joaquin Irrigation District (the "District") adopted an Illness and Injury Prevention Program consisting of an Illness and Injury Prevention Program and a Safety Manual, by Resolution dated October 12, 1999 ("Original Program"); and

WHEREAS, the 1999 Resolution directed management to periodically revise and update the Original Program; and

WHEREAS, the Illness and Injury Prevention Program has been updated and will be maintained as a separate document from the Safety Manual;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

1. Adopts the revised Illness and Injury Prevention Program.
2. Authorizes management to maintain the Illness and Injury Prevention Program and the Safety Manual as separate documents.
3. Directs management to periodically revise and update the Illness and Injury Prevention Program and the Safety Manual.

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 22nd day of May, 2007.

Motion by Director Schulz, seconded by Director Roos, to approve the Consent Calendar items as presented.

PASSED AND ADOPTED this 22nd day of May 2007 by the following roll call vote:

Ayes: Kamper Kuil Schulz Roos
Noes: None

President Kuil announced that we will have a special presentation of previously adopted Resolution 07-06-H, In Memoriam of Nick C. DeGroot to the DeGroot Family. President Kuil introduced the family, Nick's wife Trudy, sons; Bill and Nick Jr., and daughter-in-law Lisa DeGroot. President Kuil read the resolution and presented it to Trudy. Kuil then called a short adjournment for pie and coffee with the family, directors, staff and audience in attendance.

Discussion and possible action relative to removal of sludge from the Water Treatment Plant site. Hubkey told the Board that he has a bid from a trucking firm who will haul and accept the sludge at a cost of \$300 per load. Based on 23 loads, their bid is \$6,900 or \$300 per load whichever is higher. He recommends accepting the DH Winn Trucking proposal. Motion by Director Kamper, seconded by Director Schulz, and unanimously carried to accept the proposal of DH Winn trucking.

Consider a proposal from Mr. Kamboj to purchase a property interest of the District's. The property is adjacent to Mr. Kamboj's property located on South Airport Way (APN 241-330-42). Bologna said this strip of land is located south of Yosemite Ave. and west of Airport Way. He said a portion of Lateral "Y" is located in this strip. Bologna said Mr. Kamboj wants conceptual approval by the Board to sell the strip of land at a price of \$207,880 for .5 acres of land. An easement will be reserved from the sale and Mr. Kamboj will replace the poured in place lateral with RGRCP. Bologna recommended the Board approve conceptually as stated above, subject to the District making the following findings:

- a) Subject to the terms and conditions outlined in the Developer's Agreement, the conveyance of the District property will not hinder District operation.
- b) The retained easement interest is adequate for all reasonable District purposes.
- c) The payment of established value in accordance with District policy, execution of required documents, and payment of all costs relative to transfer is valuable and adequate consideration for the conveyance.
- d) It is in the best interest of the District to transfer property in exchange for the new easement and the established consideration.
- e) The property to be conveyed is not "surplus land" within the Government Code Section 54221 (b) since the parcel is not capable of park and recreational development.
- f) The proposed conveyance is categorically exempt under the Environmental Quality Act as a class 12 project pursuant to 14 Cal. Adm. Code sections 15112 since the surplus government property does not have significant values for wildlife habitat or environmental purposes and the property is of such size and shape that it is incapable of independent development or use.

If the Board conceptually approves of the sale, the matter will be brought back to the Board for approval of sale and adoption of a resolution upon signature of a Developer's Agreement outlining the terms and receipt of money. The transaction will not be final until such time as the pipeline is replaced as required. Motion by Roos, seconded by Kamper, and unanimously carried to conceptually approve as recommended.

Consider approval of improvement plans for the Lombardi development located on Louise Avenue in Manteca affecting Drain 3. Bologna said this is a short section of 36" pipeline, about 150 feet that will be replaced by RGRCP pipe. 99% of the usage of this line is by the City of Manteca. Motion by Director Kamper, seconded by Director Schulz unanimously carried to approve and authorize execution of all necessary documents subject to compliance with those special conditions and requirements referenced in item #13 of the Developers Agreement which follow:

Special conditions and requirements (Exhibit "C" of the Developer's Agreement.

- a) Developer shall submit improvement plans to the Engineering Department for approval and comply with all standard requirements concerning replacement of all facilities located within the development.
- b) Developer shall not build or develop on lots within the District easement until replacement of the District's pipeline has occurred in accordance with approved plans.
- c) Developer shall comply with District standards relative to encroachments within District easement area.

- d) Developer shall notify District at least 48 hours prior to commencement of work. Work shall be complete and pipeline operational prior to deadlines established by the District. The deadline for work is typically February 15 of any given year.
- e) Developer acknowledges that acceptance of storm water for this project will be subject to the terms and conditions of the Storm Drainage Master Plan between the District and the City.

Authorize approval of plans for the Jack Tone Road Bikeway project for the City of Ripon. Bologna said there is basically only one point where we have a problem. The City has a 12” non-potable water line that will cross under a portion of the existing 48” Lateral “Uf”. We will have the District Inspector assure the City complies with our standards for crossing under our lines. Currently we do not have a Master Encroachment Agreement with the City of Ripon which would allow staff to approve such requests at staff level. Consequently, each Ripon City project needs to be approved independently by the Board. We plan to continue our efforts to secure a Master Agreement with the City to enable us to streamline future requests. Motion by Director Schulz, seconded by Director Roos, and unanimously carried to approve the improvement plans and encroachment agreement on the Jack Tone Bikeway for the City of Ripon subject to approval of the Engineering Department.

Consider approving purchase of an additional vehicle for use by administrative personnel. Stein said we are looking at a Chevrolet Impala for around \$20,000. Director Kamper asked about using one of the used pickups on the list of pickups for sale, such as the extra cab, unit number 251-02. Stein said he has no problem with that suggestion, in fact the request was made by Sam Bologna in Engineering to use one of the pickups, but we felt a pool vehicle would be more appropriate. Motion by Director Kamper, seconded by Director Schulz, to put the 2002 Chevrolet, District unit number 251-02, in the yard as a temporary pool car for the administrative staff, and to re-evaluate the usage at a later date. Motion Carried, Ayes 3, Noes 1 with Director Roos voting No.

Consider adopting Resolution No 07-08-V, Authorizing Sale of Property no Longer Necessary for District Purposes. Stein said since we are going to use 251-02 for a pool-car, we will remove it from the Resolution. After discussion it was moved by Director Schulz, seconded by Director Roos, to adopt Resolution No. 07-08-V.

RESOLUTION NO. 07-08-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 pickups for sale listed below:

<u>DISTRICT I.D. NO.</u>	<u>SERIAL NUMBER</u>
252-03	208432
253-03	281354
264-04	275880
265-04	275712
266-04	275849

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

DISTRICT I. D. NO.	FAIR MARKET VALUE
252-03	6,300.00
253-03	7,150.00
264-04	7,350.00
265-04	6,450.00
266-04	5,715.00

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:

DISTRICT I.D. NO.	MINIMUM PRICE
252-03	5,670.00
253-03	6,435.00
264-04	6,615.00
265.04	5,805.00
266-04	5,715.00

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 22nd day of May by the following roll call vote:

Ayes:	Kamper	Kuil	Schulz	Roos
Noes:	None			

Consider authorizing a new phone system for the District Offices. Stroud said Pac West our current carrier sold off part of its network and no longer offers support. We have looked at alternatives and found a couple of alternatives that are not only better, but less money. Stroud recommended the Board authorize System Administrator Robin Giuntoli to select a new provider. Motion by Director Schulz, seconded by Director Roos, and unanimously carried, to authorize the System Administrator to select a new, lower cost provider for telephone service as recommended.

Receive a recommendation of ad hoc committee for appointment of a labor negotiator. Kuil said he and Director Schulz interviewed two firms, Kronick Moskovitz, and The Clark-Heidrich Group. Their recommendation is to hire the firm of Clark-Heidrich, with Mr. Lee Clark to be the negotiator. Cost per hour for their services is \$150. Motion by Director Schulz, seconded by Director Kamper, and unanimously carried to retain the firm of Clark Heidrich and to authorize the District Counsel to draft an agreement.

President Kuil called for Managers reports:

Hubkey reported the following:

We had another PG&E power failure last night.

Current flow is 18 million gallons per day.

Sludge ponds are drying nicely this year.

Currently working with Zenon on disposal of the membranes.

Putting together the 2007-2008 budget for the Cities.

General Electric is about two weeks from finishing work on the generator so we do not have to manually disconnect and connect to PG&E after a power loss.

Director Schulz asked what percentage of the total water consumption of the Cities of Manteca, Lathrop & Tracy's is provided by our surface water? Hubkey said he would try to find out.

Kennedy Jenks is doing a study for the City of Manteca to look at bringing the PH up to 8.59. We currently are at 8.15 to 8.25 PH. People in the older areas of the City are complaining about dirty/rusty colored water.

Director Kuil asked Hubkey for a copy of the lab analysis on the sludge. Hubkey said he would get him a copy.

Stroud reported the following:

Relative to newsletters being done on more frequent basis, we are currently looking at a new outreach program which will help in reaching areas of interest.

Currently have several entities monitoring legislation, Dolphin Group, ACWA, CMUA, to keep us up with current and proposed legislation.

SCADA Tech will start work on May 29th.

Relative to freeboard loss on Lateral "V", Bologna has said he does not feel it will be a problem. Gilton said we modeled the total capacity from the models and he does not see a problem.

Shields reported the following:

Meeting with customers on municipal departing load, we helped some of them file protests. In addition we filed our own protest for our bills. PG&E is supposed to reply in five days, to date no response, it has been 10 days.

Governor Schwarzenager has introduced legislation to help get solar off the ground. Air Conditioning program is off the ground. PG&E held a dinner and paid \$150 to sign up on their program.

Capacity is being looked at closely. PG&E got \$1,000,000 for ancillary services on the Tri-Dam contract. Sand Bar's contract is silent on renewable credits, I estimate value at between \$400,000 and \$2,000,000. Western Energy Coordinating Council is starting a program called Regis, where anyone can register and sell credits.

PG&E announced their profits are up 19% over last year, and at the same time are asking for a rate increase to increase their profit margin.

President Kuil asked for Directors reports:

Roos asked about dirt off canal at Wilma Overpass. Gilton said he would check and report back.

Director Roos, thanked President Kuil for postponing the ceremony for the DeGroot's to this meeting since he was at the ACWA Conference at the last meeting. At the Conference he gave a speech at the presentation of the Claire Hill scholarships, which was a result of the Nick C. DeGroot Water Treatment Plant, I announced during the speech that Nick had passed away. Friday at the conference the Sacramento Chamber of Commerce talked about the need for new water projects in the state. Need to get the legislation before losing our current Governor. Announced he won the door prize for staying to the end of the meeting, \$250.00, passed out a copy of the check for all to see. Several other Directors commented on the ACWA Conference

Kamper asked about the Flap Gate, are we going to shift it to another location. Gilton said after the water season we will make another attempt to adjust it in the same location.

President called for closed session. General Counsel Emrick reported we will discuss the following in closed session:

Conference with legal counsel, existing litigation, Gov. Code, S. 54956.9 (a).

SSJID v. LAFCo, Superior Court, San Joaquin County Case # CV030255.

SSJID v. Meridian Pacific, et. Al., Superior Court, San Joaquin County, Case # CV030855.

Conference with real property negotiator, Negotiating parties: District, Oakdale Realty.
Property: Stanislaus County APN 002-001-063. Agency negotiators: Steve Stroud and
Steve Emrick. Under negotiation: Price and terms of payment.

Upon returning from closed session District Counsel Emrick announced there was no
reportable action taken in closed session.

There being no further business to come before the Board it was moved by Director
Schulz, seconded by Director Roos, and unanimously carried to adjourn to June 12, 2007
at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary