

Manteca, California  
June 14, 2011

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: KAMPER KUIL HOLBROOK HOLMES  
ABSENT: ROOS

Also present were General Manager Shields, District Counsel Emrick, and Engineering Department Manager Bologna.

President Holbrook called the meeting to order and led the salute to the flag.

Holbrook asked for public comment. There being no public comment the Board was asked to consider the following Consent Calendar Items.

#### CONSENT CALENDAR

- A. Warrants of \$605,425.72 and May payroll of 338,322.44.
- B. Regular Board Meeting Minutes of May 24, 2011.
- C. Authorize filing a Notice of Completion and acceptance of work performed by Lowell Beghtel, Stockton Fence & Material for Woodward Reservoir fencing.
- D. Approve signature of the following Consent to Entry of Property Agreements and Certificate of Acceptance. These properties are participating in the District's On-Farm Water Conservation Program.

Pete & Linda Van Staaveren	APN 245-230-11
Randy Grimm & Janna Brocchini	APN 226-130-35
Marylou Moore Collins	APN 226-100-09

- E. Authorize acceptance of new Grant of Easement from Paul and Patricia Tremayne (APN 257-260-38) for the Division 9 Project.
- F. Approve the following Service Abandonments:

Director	Agr #	Owner	APN	Acreage
Holbrook	1618	Nick Sandivar	197-120-15	5.00
Holbrook	1619	Jesse Lozano	204-020-02	.66
Roos	1629	Wm. Saarloos	245-130-43	3.74

- G. Authorize District to join San Joaquin County and Delta Water Quality Coalition.

Director Holmes noted that on page 2 of the May 24 Board Meeting Minutes, the minutes incorrectly stated that Director Holmes asked for Managers Reports. The minutes should be corrected as follows, "Director Holbrook asked for Managers Reports".

President Holbrook pointed out that under Item E, the drawing attached to the Grant of Easement should show a 30' Easement. Bologna agreed and said he would make sure that was added to the drawing before the document was recorded.

Motion by Kuil, seconded by Kamper to approve the Consent Calendar with the above mentioned corrections.

PASSED AND ADOPTED on this 14th day of June, 2011 by the following roll call vote:

Ayes: Kamper Kuil Holbrook Holmes

Noes: None

Absent: Roos

**Item #1**, Amendment to Service Abandonment #412, Marjorie E. Alfieri, APN 205-080-04, 44.62 Acres. After a brief discussion, Holmes made a motion to approve the Amendment to Service Abandonment #412. The motion was seconded by Kuil and unanimously approved.

**Item #2**, Review and take action on bids for Division 9 Project. Todd Kotey a Principal at Stantec was introduced to the Board. Mr. Kotey gave a power point presentation outlining the bid process, giving a project overview and showing projected timeline. He explained that based on qualification criteria, seven of the ten bidders were "non-responsive". The bids ranged from 22.1 million to 29 million. Knife River Construction was the low bidder at \$22,092,500.00. Mr. Kotey told the Board that because the bids came in so much higher than budgeted for, modifications are being proposed which would reduce costs while still accomplishing the Districts goals for the project. Stantec recommends rejecting all bids and reposting the project with the identified modifications (Addendum A). Sam Bologna, Engineering Department Manager stated that Stantec Rocklin has done an excellent job at reengineering the project as they basically took over the project in the eleventh hour. Director Holmes asked if we are rushing into the redesign at the expense of making mistakes. Todd said no that his team is almost ready with the addendum. He explained that it is more of a plan reduction than a redesign. Director Kuil stated that he was concerned that with the elimination of the West Basin we would not accomplish our goal of reduced runoff. Bologna explained that one of the results of this project will be that operationally there will be less runoff, even without the West Basin.

President Holbrook asked for direction from the General Counsel. Steve Emrick told the Board that it is not required to rebid. The decision to either rebid or to renegotiate with the low bidder is at the Boards discretion.

Director Kuil made a motion to reject all bids. The motion was seconded by Holmes and unanimously approved.

Bologna said that Joseph Reyes PE Knife River Construction was in attendance and would like the opportunity to address the Board. Mr. Reyes introduced himself. He said that historically rebids to not go in the favor of the original low bidder. He reminded the Board of a past good working relationship that Knife River and the District have experienced. He asked the Board to consider his plea for the opportunity to negotiate changes to the bid.

After a thorough discussion, Director Kamper made the following motion. Authorize staff to negotiate with Knife River. Negotiations will be completed by end of business day, Thursday, June 16. If negotiations are successful a special meeting date will be set to accept Knife River Construction bid. If negotiations are unsuccessful, the project will be reposted with the Addendum A with an opening date of June 27. Motion was seconded by Director Holmes and unanimously passed.

**Item #3**, Contract renewal for Workers Compensation Insurance. Matt Frediani, Cutler Segerstrom reported to the Board that renewal rates with SDRMA will be at a lower rate than last year. He said that this is due in part to the District's experience mod going down. He also reported that the District had only 2 workers comp claims last year. Director Holbrook asked Human Resource Specialist Thornburg if he had any comment to make. Thornburg said he recommends the Board approve renewing our contract with SDRMA. Motion by Holmes, seconded by Kuil to renew the contract with SDRMA, for Workers Compensation Insurance, at a total cost of \$284,963. Motion passed 4-0.

**Item #4**, Award contract bid for Drying Beds # 1 & #2 Re-caulking Project. WTP Hubkey told the Board that because the WTP budget is coordinated with the Cities Fiscal budget, the money will be available on July 1. The re-caulking work is best done in the hot weather, so that it has time to cure and dry properly. Hubkey said that all the bid proposals were comparable and recommends accepting the low bidder. Motion by Kuil, seconded by Kamper to accept the low bid from Ashron Construction and Restoration at a cost of \$36,967.00. Motion passed unanimously

**Item #5**, Accept proposal and quote from Underwater Resources to repair log booms at Woodward Reservoir. Due to recent storms, the log booms on both sides of the Water Quality Wall have separated. Staff is confident the East side can be repaired "in house". The West side however was more severely damaged and will need to be professionally repaired. Hubkey explained that in the past when log boom repairs were put out to bid, Underwater Resources were consistently the low bidder. Hubkey recommended that the log boom repairs include two more anchor points to help release the stress and so reduce repair needs. His proposal would include anchors every 500 feet. Underwater Resource proposes to do the work for \$37,645. Director Kamper suggested that making the sections between anchors every 300 feet and Kuil concurred. Motion by Kamper to accept the quote by Underwater Resources for four anchors and to authorize a change order to include two more anchors, spacing the anchors 300 feet apart. Motion passed unanimously.

**Item #6**, Agreement with Galt Steam Cleaner Co. (GSCC) for cleaning the solar panels at the Robert O. Schulz Solar Farm. For the past three years, District staff and contract employees have cleaned the Solar Farm panels. GSCC approached the District with a proposition to clean the solar panels with pressurized hot water. The proposal included a

cleaning cycle of approximately 15 working days at a cost of \$4,500.00. Don Battles explained that this cost is comparable to what our current costs are. Typically there are 5-6 cleaning cycles a year. Battles asked the Board to approve entering into an agreement with GSCC at a “not to exceed” cost of \$31,500.00 for up to 6 cleaning cycles. Motion by Kuil, seconded by Holmes to approve the agreement with Galt Steam Cleaner Co. for cleaning solar panels at a “not to exceed” cost of \$31,500.00. Motion passed unanimously

President Holbrook called for Directors Reports.

Director Holmes reported that the Finance Committee met on June 6. He said it was a good exercise and he thanked finance department staff for all their good work.

Director Kuil reported that the Tri-dam Advisory Committee met on June 6 in Oakdale. He and Holbrook attended the meeting.

Director Holbrook gave a brief overview of issues that were covered at the Tri-Dam Advisory meeting. He also reminded the Board that the regular Tri-Dam Meeting is being held today in Oakdale at 1:00 p.m.

President Holbrook called for Managers Reports.

Bill Hubkey, WTP Manager, reported the following:

- 1). Two Air Release Vents (ARV) on the transmission line will need to be relocated caused a widening project on Lathrop Road.
- 2). Sludge will be hauled from the Plant on Wednesdays & Thursdays. The sludge has been analyzed and no oils or volatiles were detected.
- 3). The City of Escalon is taking all of our quarterly fiber cleans water.
- 4). Staff is finding it more difficult to locate replacement parts for mechanical repairs. This is due to some companies going international, which in the future, may impact repair time and budget costs.
- 5). Two of the Plant Operators have recently taken the T-4 CDPH tests and another is scheduled to take his T-5 test.

Don Battles, Utility Systems Director handed out the Conergy April field report on Phase 1 & 2. The report shows that several defective modules were repaired. Also, according to Blaine Neal, Commercial Manager, the final shipment of bearings has arrived and they will begin replacements soon.

Director Kamper asked Battles if we are going to balance the load. Battles assured the Board that he is looking at the options.

Bere Lindley, Finance and Administration Department Manager handed out an Investments Report dated May 31, 2011. Bere referred the Board to the report in answer to some follow up questions the Finance Committee brought up. Bere told the Board that they would be receiving this report on a monthly basis.

Jeff Shields, General Manager report:

- 1). Asked Troylene Saylor to introduce the intern that will be working with her this summer. Troylene introduced Jenna Thomas to the Board.
- 2). Draft UWMP is being finalized by Provost and Pritchard. The filing date for this document is the end of July.
- 3). District staff reported that a PG&E utility pole on Woodward Avenue was tied to a District control box in an effort to keep it from falling. PG&E had not contacted us concerning this possible dangerous situation.
- 4). USDA Natural Resource Conservation Service Workshop will be held in the District Board Room on June 16.
- 5). The Ag-Urban Coalition released a Draft Alternate Delta Plan. The District is a signatory on the accompanying letter.
- 6). District received a plaque for its participation in the Ropin on the River Event last weekend.
7. Received a thank you card from SJ Farm Bureau Federation for the Districts support of their 97<sup>th</sup> Annual Meeting held at the Cabral Ag Center.
- 8). Handed out Tri-dam Daily Report dated June 13, 2011.
- 9). Reported that a box on the “RF” was damaged on Friday, June 10<sup>th</sup> due to the driver of a semi-truck falling asleep at the wheel. The truck was traveling southbound on Hwy 99. Cost to repair the box will be covered by the trucking company’s insurance.
- 10). Approved the following Structure Permits:
  - Richard Alleman (APN245-080-66) to install a sump with appurtenant sprinkler pump on Lateral “Ka300dd” @ sta. 2+/-.
  - Joe Da Silva (APN 229-180-05) to install one 30” valve on Lateral “B-15” @ sta. 60+05 +/-.
- 11). Approved the following Encroachment Agreement
  - Russell Armstrong (APN 216-290-60) to encroach upon a portion of District Drain 3 Easement with a swimming pool.
- 12). Approved the following Structure Abandonment Agreement
  - Don Gallagher, (APN 226-030-03) to abandon one 36” valve installation located on Lateral “We” @ sta. 133 +/-.

Director Holbrook called for a short break before Closed Session.

General Counsel announced the Board would be discussing Items 9 a-e. under Closed Session.

- a. CONFERENCE WITH LEGAL COUNSEL-Anticipated Litigation  
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9- 2 cases
- b. CONFERENCE WITH LEGAL COUNSEL- Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 - 1 case  
Various water quality proceedings before State Water Resources Control Board—Delta Flow Criteria, San Joaquin River Flow Objectives
- c. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
California Government Code Section 54656.8

Property: Water

Agency Negotiators: General Manager and General Counsel

Negotiating parties: District and the City of Tracy

Under Negotiation: Price and Terms of Payment

d. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

California Government Code Section 54656.8

Property: Portion of APN 198-030-08, 15

Agency Negotiator: General Manager

Negotiating Parties: District and Union Pacific Railroad

Under Negotiation: Price and terms of payment

e. Public Employment Performance Evaluation. Gov. Code S. 54957.  
General Manager and General Counsel.

Upon returning from closed Session, it was reported that no reportable action was taken.

**Item #7**, Consider compensation adjustment for General Manager was deferred to the June 28<sup>th</sup> meeting.

There being no further business to come before the Board it was moved by Director Holmes seconded by Director Kamper to adjourn to the next regularly scheduled meeting to be held Tuesday, June 28, 2011. Motion carried unanimously.

ATTEST: \_\_\_\_\_  
Cheryl Burke, Executive Secretary