

Manteca, California
July 10, 2001

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: DEGROOT HAWORTH KAMPER ROOS SCHULZ

Also present were General Manager Stroud, Attorney Emrick, District Engineer Gilton, Engineering Department Supervisor Bologna and Maintenance & Construction Superintendent Jim Atherstone.

President Kamper called the meeting to order and introduced the new General Manager, Stevan Stroud.

Kamper called for Public Comment, there being none he asked the Board to consider approving the Consent Calendar Items as submitted.

CONSENT CALENDAR

- A. SSJID Warrants of \$129,796.30 and Payrolls of \$125,330.16.
- B. Regular Board Meeting Minutes of June 26, 2001.

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

PASSED AND ADOPTED by the following roll call vote:

AYES: DeGroot Haworth Kamper Roos Schulz
NOES: None

A proposal from CH2M Hill to update the 1986 French Camp Outlet Canal (FCOC) Study was addressed. Bologna told the Board that during discussions with the City of Manteca relative to their Storm Drainage Master Plan, it became apparent that an updated study was needed. The cost of the updated study by CH2M Hill is \$61,000, with the City of Manteca and the District each paying half. The cost will eventually be repaid by development fees. The Board was concerned that they were not consulted earlier in the process and that only CH2M Hill gave a proposal for doing the study. The Board is also concerned about the delay in getting a drainage agreement with the City of Manteca. Staff agreed that considering the Board's input at an earlier stage of the process in the future was a good idea. **Motion by Roos, seconded by Haworth, to approve the study as submitted by CH2M Hill, however, to include the French Camp Slough in the study, since high tides and heavy flows from Little Johns Creek and Lone Tree Creek cause the water to back up into the FCOC. Motion Carried, 3 Ayes, 2 Noes, with Directors DeGroot and Schulz voting no.**

Update on the District's use of magnicide according to State Water Resource Control Board's Clean up and Abatement Order and the SWRCB's hearing on Interim NPDES Permit scheduled for July 19. Staff requested authorization to apply for the Interim Permit and pay filing fees. Gilton reported that to comply with the clean up and abatement order we are taking water samples from each of 26 drains, 4 samples from each drain. The cost of this testing could be as much as \$30,000 to \$40,000. Atherstone said that in order to comply we will also have to submit quarterly reports. Emrick said without the NPDES permit we will be unable to use magnicide next year. Cost of the permit is \$1,200. Additionally, Emrick said the San Joaquin River Group is developing a "best management plan" to comply with the requirements of the interim permit **Motion by DeGroot, seconded by Schulz, to authorize staff to apply for the NPDES Permit, pay applicable fees, and comply with testing under the permit and the clean up and abatement order. Motion Carried, 4 Ayes, 1 No, with Director Roos voting No.**

Atherstone and Bologna left the meeting.

Consider retaining consultants to advise District on electrical matters. Emrick said we need assistance from two areas, Bill Pezalla of HESI, who is an electrical consultant, and Jack Strmer to work with us on the JPA and business plan. He said the consultants charge \$190 per hour and \$90 per hour respectively. The Board indicated that we should talk to Lon House at ACWA to see if there is some help he may be able to give us. **Motion by DeGroot, seconded by Schulz, and unanimously carried to authorize staff to use the consultants named above.**

Discussion concerning encroachments on Drain 3. Gilton said we found a landowner in town who was building a garage over our drain. The landowner had a permit from the City of Manteca, but no encroachment agreement from the District. Gilton reported that to remove the garage at this stage of construction would cost the landowner approximately \$20,000 in losses. He said he would recommend allowing the garage to remain, subject to the landowner signing an encroachment permit. The consensus of the Board was that the City should be contacted and that more should be done to assure that this doesn't happen again, and that our easements should be listed on the deed if and where possible. Gilton said we will give the Cities new maps to pinpoint the location of our pipelines. Stroud said he would discuss the problem with the City Managers when he meets with them next week. No action was taken.

Attorney Emrick said there are two items that need to be added as emergency items. He noted we were not aware of them until Monday, July 9, 2001, and the agendas went out Friday, July 6th.

They are: 1) Consider extending Rick Martins agreement through July, and increasing the hourly rate from \$75.00 to \$90.00 per hour. 2) Consider request from SEWD to purchase 5,000 to 10,000 acre feet of water. **Motion by DeGroot, seconded by Schulz, and unanimously carried, to add the two items listed above to the action calendar as emergency items.**

Consider extending Rick Martin's consulting agreement through July 2001, and increasing the hourly rate from \$75.00 to \$90.00 per hour. **Motion by Roos, seconded by Kamper, to approve extension of the agreement through July 2001, and increasing the hourly rate to \$90.00 per hour. Motion carried, 4 Ayes, 1 No, with Director Haworth voting No.**

Consider request from Stockton East Water District, (SEWD) to purchase up to 10,000 acre feet of water in 2001 water year. Emrick said he got a phone call yesterday morning from SEWD's Manager Kevin Kauffman requesting we consider the sale. Emrick said we will have to do an environmental review, which will be done in house, prior to making any decision.

He is asking for authority to do the study. **Motion by Schulz, seconded by Haworth, and unanimously carried to study. Motion Carried, 3 Ayes, 2 Noes, with Directors Haworth and Kamper voting No.**

President Kamper called for closed session relative to personnel matters. He noted item c) will be discussed in closed session. Stroud, Stein, Emrick and Gilton left the room.

c) Public Employee Performance Evaluation - General Counsel. Gov. Code, S. 54957.

Upon returning from closed session President Kamper announced no action was taken in closed session.

President Kamper asked the Board to consider the following action item. Consider pay increase for District's General Counsel, Steve Emrick. After discussion the following action was taken. **Motion by Haworth, seconded by Schulz, and unanimously carried, to increase Mr. Emrick's annual salary to \$100,000 effective July 1, 2001.**

There being no further business to come before the Board it was moved by Roos, seconded by Haworth, and unanimously carried, to adjourn to July 24, 2001 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

E:\071001.wpd