

Manteca, California  
July 25, 2017

The Board of Directors of the South San Joaquin Irrigation District met in regular session in their chambers at 9:00 a.m. President Kuil called the meeting to order and led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER KUIL ROOS  
ABSENT: NONE

Also present were General Manager Peter Rietkerk, General Counsel Steve Emrick, Engineering Department Manager Sam Bologna, and Clerk of the Board Betty Garcia.

**Public Comment** - None

**CONSENT CALENDAR**

- A. Approval of Warrants in the amount of \$691,048.96; A/P wires in the amount of \$992,411.28; payroll dated July 21, 2017 in the amount of \$219,580.98.
- B. Approval of the regular board meeting minutes of July 11, 2017.
- C. Approval of the special board minutes of July 18, 2017.
- D. Approval of the special board minutes of July 21, 2017.
- E. Approval of Irrigation Service Abandonment Agreement for Raymond Earl Griggs, APN 217-280-07.
- F. Approval of Consent to SSJID's entry of property to read and to maintain flow meter for David Dole, APN 247-200-09.

A motion was made by Director Holmes and seconded by Director Roos to approve the Consent Calendar as submitted. The motion passed 5 to 0 by the following roll call vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**ACTION CALENDAR**

**Item #1 – Consider adoption of Resolution #17-10-V authorizing the sale of District Vehicles that are no longer necessary for District purposes**

**RESOLUTION NO. #17-10-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 for sale, as listed below:

| <u>DISTRICT I.D. NO.</u> | <u>VEHICLE TYPE</u> | <u>VIN NUMBER</u> |
|--------------------------|---------------------|-------------------|
| 200-00                   | Ford Crown Victoria | 2FAFP73W0YX134914 |
| 603-05                   | Chevrolet Tahoe     | 1GNEC13T45R234953 |
| T-46                     | Walton Tilt         | 1W9EC2521J1063657 |

Is no longer necessary for District purposes and that it is in the best interest of the district to sell said property for the price listed below:

| <u>DISTRICT I.D. NO.</u> | <u>PROPOSED PRICE</u> |
|--------------------------|-----------------------|
| 200-00                   | \$1100.00             |
| 603-05                   | \$5100.00             |
| T-46                     | \$4000.00             |

**NOW, THEREFORE BE IT RESOLVED AND ORDERED** that the Finance and Administration Department Manager of the District is authorized to display said property for sale for a period of ten days, and thereafter may reduce the advertised price by \$500.00 every ten days until the vehicle is sold.

**BE IT FURTHER RESOLVED AND ORDERED** that the Finance and Administration Department Manager is authorized and directed to take all necessary steps and execute all documents necessary to transfer title to said property.

A motion was made by Director Roos and seconded by Director Holbrook to adopt Resolution #17-10-V authorizing the sale of District vehicles that are no longer necessary for District purposes.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of July 2017 by the following 5 - 0 roll call vote:

|          |                                  |
|----------|----------------------------------|
| AYES:    | HOLBROOK HOLMES KAMPER KUIL ROOS |
| NOES:    | NONE                             |
| ABSTAIN: | NONE                             |
| ABSENT:  | NONE                             |

**Item #2 – Consider donation of two District vehicles scheduled for sale to Give Every Child a Chance (GECAC) and the Escalon Police Department**

Ms. Troylene Saylor, Director of Public Relations, stated over the past years, SSJID has been an important community resource in many ways, one being for the occasional donation of surplus vehicles to non-profit agencies. This year two agencies have requested surplus vehicle donations. The first is Give Every Child a Chance which serves multiple counties with valuable

tutoring and health services for youth. The other is the City of Escalon's Police Department volunteer unit which performs a number of valuable services to the community. After discussion with both agencies, staff recommends the Chevrolet Tahoe to GECAC and the Crown Victoria to the Escalon PD. Each vehicle will have a sticker on it stating that it was donated by SSJID, which results in positive public relations for the District.

In addition to this request, staff suggested the Board agree to consider non-profit vehicle donations every other year unless otherwise decided. Mr. Emrick suggested it would be best to amend the current policy regarding vehicle donations and bring it back to the board at a future meeting for consideration.

Mr. Chuck Crutchfield, representing GECAC stated the organization currently has 39 locations in South San Joaquin County and that the program started in 1997. They serve 3,600 to 4,500 students per year and noted that children receiving these services have improved their grades. He thanked the Board for the donation.

Mr. Jeff Shields serves on the Board of Directors at GECAC and said this is a great organization who is in need of a vehicle since the one they had is no longer in service. He thanked the Board and Ms. Saylor for the donation.

Chief Mike Borges from Escalon Police Department addressed the Board stating that he was thankful for the donation. He said the vehicle would be utilized by the volunteer program which is mostly composed of senior citizens who will appreciate the vehicle.

A motion was made by Director Holbrook and seconded by Director Holmes to donate the Tahoe to GECAC and the Crown Victoria to Escalon PD and to bring the Donation Policy back to the board for consideration.

The motion passed 5 to 0 by the following vote:

|          |                                  |
|----------|----------------------------------|
| AYES:    | HOLBROOK HOLMES KAMPER KUIL ROOS |
| NOES:    | NONE                             |
| ABSTAIN: | NONE                             |
| ABSENT:  | NONE                             |

**Item #5 – Approve job description for District Counsel and revised job description for General Counsel**

Mr. Emrick stated that the job description which had previously been approved by the Board in February 2017, entitled Assistant General Counsel is being changed to District Counsel. He said Mia Brown's job title would start as District Counsel on her hire date and at the end of the year, it is proposed that her job title would change to District General Counsel. Ms. Brown would report directly to the Board of Directors.

A motion was made by Director Roos and seconded by Director Kamper to approve the revised job descriptions for District Counsel and General Counsel.

The motion passed 5 to 0 by the following vote:

AYES:           HOLBOOK HOLMES KAMPER KUIL ROOS  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #8 – Communications**

Director Holbrook

- He attended the Advisory Water Commission meeting on July 19 where most of the discussion was regarding funding of the flood protection program. He said that Brian Nakagawa is out a for a few months on a disability leave.
- HR 23, a bill sponsored by Representative David Valadao entitled Gaining Responsibility on Water Act of 2017. This bill modernizes water policies throughout the Western United States and provides drought relief and water reliability in the State of California. He noted that San Joaquin County will oppose the bill as it seeks to pre-exempt Federal and State laws.

Director Holmes

- He spoke to growers in Ripon and was told the irrigation water is good and the moss and algae is under control.

Bere Lindley, Assistant General Manager

- The quarterly meeting of the Water Treatment Plant committee was held on Monday, July 24. Expenses came in at 5% under budget which is evidence of good management and an outstanding performance.
- He has been working closely with nine consultants on the Electric Utility Transition plan. They are working on the breakdown structure and a list of step required in order to be prepared at the opening of retail electric. One of the first steps is installation of software and noted there are issues with the Spring Brook software. He noted that sequencing of steps is a very important part of the transition plan. Each chapter has a hiring plan.
- The annual audit has been deferred but he will work diligently to finish the audit next week.
- Management Accountant position – there were 20 applicants; six were selected to interview, however, we received only three responses for interviews. Interviews are scheduled for August 1 and 2.

Frank Avila, Telemetry Systems Manager

- He filled in for Joe Catanzarite while he was on vacation. He reported the following:
  - Shop has been having problems with some of the motors on the trucks
  - Getting bids to upgrade fuel equipment
  - Welding crew is helping build a platform to install cameras on the MDC
  - Working on maintenance software for fleet
- Maintenance Depart has been fixing cracks on the canal pipe and assisting with the magnacide applications

- Frank's department has been running 550 to 600 cfs flows of water
  - His technicians attended a safety class
  - Replaced 5 motors on the MDC actuators; these 2 year old motors will be replaced free of charge
  - Repairs to the B-Line actuators; he met with MID
  - Installing cameras on the MDC
  - Met with Tesco regarding drain sites
  - Issues with homeless people camping out on the FCOC
  - He noted that drones can survey pipe without people having to crawl the pipe

Sam Bologna, Engineering Department Manager

- GBA/ SGMA: Plans to participate as a member of the selection committee panel to hire a consultant to prepare the GSP Grant Application Consultant Selection on Wednesday, July 26.
- Grant Funding: An announcement was made that NSJWCD swept the water use efficiency enhancement funding offered by DWR/CDFG Prop 1 funding round, security \$6 million (\$3 million for North San Joaquin and up to \$3 million for the farmers). It was good to know that a local agency in our sub-basin was successful.
- Encroachment matters: Accompanied outside counsel on a tour of the area above Woodward Reservoir related to the McPhee matter.
- Bridge projects: Met with a Stanislaus County representative concerning plans for the replacement of the bridge crossing at Pleasant Valley Road and the MDC. The project could start as early as fall of 2018 but may be delayed another year if the environmental work and funding is not completed. Also, working with San Joaquin County on the Sexton Road replacement projects that have a similar timeline. McHenry Road project is currently underway.
- MDC seepage between Drop 2 and Combs Road: Inspected the MDC project and found that the seepage seems to have subsided. With sprinklers turned off along the first row of trees, the area seems to be dry and it would appear the cutoff wall is working. We will be asking that the landowner mow the weeds in that area so that we can continue to monitor the situation to make sure the problem has been solved. If not, we have another option in mind to try.
- Winter Work: Working on finalizing a list of projects that we plan to tackle this fall. Should have some of the potential projects to discuss at the next meeting.
- Development projects: Working on a number of development projects and smaller in-fill projects throughout the District including De Jong Estates, Delicato, Centerpoint, Silva, Sundance, Shadowbrook, Vineyards, Meadowview, etc.
- West Basin dirt: The contractor has begun weed control at the west basin (using goats) and will resume dirt removal soon.

Peter Rietkerk, General Manager

- He noted that San Joaquin Tributaries are following the HR 23 bill "Gaining Responsibility on Water Act of 2017" He said that Senator Dianne Feinstein is also opposing the bill.

- The OPS Committee meeting was held on Monday, July 24. There was discussion regarding the results of the drought and the housing bubble burst in 2007 utilizing 17,700 AF using less water; recent trends with water use efficiency protest beneficial use of District Water Rights. He said the City of Escalon wants to see about receiving water from the Water Treatment Plant. Partner cities see the benefits of bringing on additional parties. Steve Bailey discussed the City of Ripon coming onto the Water Treatment Plant water.

### Meetings

- Met with the IBEW Bargaining Unit regarding two positions the Board approved in Frank Avila's area.
- Escalon Sportsman Club and lead abatement issues.
- Ripon Aquatics completed their season. SSJID was awarded with a thank you plaque for their donation of a score board.
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It was announced that items #8B, 8C, 8D, 8E, and 8G would be discussed in Closed Session.

### **Item #8 – Closed Session**

8. a. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
  - 2 cases
  
- b. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9
  - Phase 1 hearings on San Joaquin River/Delta Water Quality Control Plan Before State Water Resources Control Board
  - 1 case
  
- c. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
  - 5 cases
    - Pacific Gas & Electric Company vs. San Joaquin LAFCO  
Superior Court for San Joaquin County  
Case No. 39-2015-00321743-CU-JR-STK
  
    - SSJID vs. Pacific Gas & Electric Company, A California Corp., et al.  
Superior Court for San Joaquin County  
Case No. STK-CV-UED-2016-0006638
  
    - Lee Tyler, et al. vs. Oakdale Irrigation District, et al.  
Calaveras County Superior Court  
Case No. 17CV42319

I.B.E.W. Local 1245 and Thomas Johnson vs. SSJID  
Superior Court for San Joaquin County  
Case No. CV-2015-9228

SSJID vs. Robert Donald Ney, Jr., Trustee  
Superior Court for San Joaquin County  
Case No. 2017-5525

d. Public Employment

Title: General Counsel

e. Conference with Real Property Negotiators pursuant to  
California Government Code Section 54956.8

Property: A portion of District's real property containing the French Camp Outlet Canal

Agency Negotiator: General Manager and Engineering Department Manager

Negotiating Parties: SSJID, Union Pacific Railroad

Under Negotiation: Price and terms of payment

Property: Water

Agency Negotiator: General Manager

Negotiating Parties: SSJID and South Delta Water Agency

Under Negotiation: Price and terms of payment of sale

f. Public Employment

Title: Management Accountant

g. Public Employment Performance Evaluation

Government Code Section 54957

Title: General Counsel

Upon their return from Closed Session, it was reported that no action was taken while in Closed Session.

In open session, the following actions were taken.

**Item #3 – Consider approval of 2017 temporary water transfer agreement between South San Joaquin Irrigation District and South Delta Water Agency**

A motion was made by Director Holmes and seconded by Director Roos to approve a temporary water transfer agreement between South San Joaquin Irrigation District and South Delta Water Agency for up to 200 acre foot (one year sale) at \$100 per acre foot and to allow General Manager, Peter M. Rietkerk to schedule the flow schedule as directed by South Delta Water Agency.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**#4 - Consider approval of employment agreement with successor to General Counsel**

A motion was made by Director Holmes and seconded by Director Holbrook to approve the employment agreement for Mia S. Brown, subject to passing a pre-employment physical; schedule the start date of employment as August 21, 2017 on a part-time basis and may be modified by the General Manager.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #9 – ADJOURNMENT**

There being no further business to come before the board, a motion was made by Director Holmes and seconded by Director Holbrook to adjourn the meeting at 11:42 a.m. The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER KUIL ROOS  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**ATTEST:** \_\_\_\_\_  
Betty L. Garcia, Clerk of the Board