

Manteca, California  
August 11, 2009

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

Upon roll call the following members were noted present:

DIRECTORS:      HOLBROOK      KUIL      KAMPER      SCHULZ      ROOS

Also present were Secretary/Manager Shields, District Counsel Emrick, Engineering Department Manager Bologna, Utility Systems Director Battles, HR Analyst Thornburg, Communication Coordinator Sayler and Water Treatment Plant Manager Hubkey.

President Kamper called the meeting to order and asked for public comment. Mr. Herman Silvera said he has a garden, about ¼ of an acre. He said the Division Manager put a lock on his valve and will not give him a key. He was told by the Division Manager he did it because he stole water. Silvera stated he never stole water, meaning he was taking water out of rotation without permission. He said this new Division Manager does not like him and that is why he locked the valve. Mr. Silvera asked we take the lock off his valve and he will be happy. Director Kamper thanked Mr. Silvera and said we will look into his concerns and get back to him.

President Kamper asked the Board to consider approving the Consent Calendar items as presented. District Counsel Emrick asked that Item "D" be removed from the agenda and considered at a later date.

- A.      SSJID warrants of \$353,012.90, wires of \$117,576.27 and payrolls of \$490,070.58.
- B.      Regular Board Meeting Minutes of July 28, 2009.
- C.      Accept and file Notice of Completion for work on Lateral "Be" Pipeline Project by Clyde Wheeler Construction (SSJ-2008-07).

Motion to approve Consent Calendar items as submitted above.

PASSED AND ADOPTED this 11<sup>th</sup> day of August 2009 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

Consider authorizing the General Manager to approve emergency repairs to WTP main transmission line up to a cost of \$25,000. Hubkey said our staff can make pipeline repairs that are located outside public roadways. At this time the District does not have the equipment to repair asphalt work on roads. Hubkey said he will recommend a contractor to the General Manager based on three bids from a list of qualified contractors provided by Engineering Department Manager Bologna. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried, to approve getting bids and authorize the General Manager to contract for vent repairs up to \$25,000 per year as needed. Additionally, Director Holbrook asked Bologna for a copy of the contractors list.

President Kamper asked Hubkey for his Managers report.

- Reported that Tracy runs the pumps in their pump station from 7:00 p.m. to 11:00 a.m. and has an estimated 40% reduction in cost of power.
- Flows through the Plant reached 30.5 MGD, up about 4.5% from the previous month.
- Received 61 applications for the Electrician position.
- The POP Project bid opening occurred on August 4, 2009. The winning bid was below the projected amount. We will present the details at the next Board Meeting.

President Kamper asked the Board to consider approving an agreement to amend Irrigation Service Abandonment Agreement #1020, by and between David & Annbell Cunningham. Motion by Director Kuil, seconded by Director Holbrook, and unanimously carried to approve as submitted.

Consider approving agreement to amend Irrigation Service Abandonment Agreement #1537, by and between District and Brocchini Farms, Inc. Motion by Director Roos, seconded by Director Kuil, and unanimously carried to approve as submitted.

Bologna noted that both amendments to Irrigation Service Abandonments Agreements, Cunningham's and Brocchini's, are in Division 9.

Consider proposal from Environmental Science Associates (ESA) for CEQA Report for 2009 Water Transfer Agreement by and between South San Joaquin Irrigation District and Stockton East Water District. This is for the water sale to SEWD and the City of Stockton. ESA did the original study 10 years ago and we feel they are best suited to do it again. ESA's proposal is a not to exceed \$290,000. Since we need to get going on this, even though SEWD and Stockton have not agreed to all terms, the City of Stockton agreed to pay \$200,000 if the contract is not finalized. We will instruct ESA not to exceed that \$200,000 until there is a contract. Motion by Director Holbrook, seconded by Director Schulz and unanimously carried, to approve the agreement with ESA as stated above and authorize execution of same.

Consider authorizing General Manager to cast vote for Ginger Root in the California Special Districts Association's annual elections for their Board of Directors. Shields recommended approval as requested. Motion by Director Roos, seconded by Director Kuil, and unanimously carried, to approve as recommended.

President Kamper asked for Manager's reports:

- Sayler handed out the Manteca Chamber of Commerce directory. Said we paid for advertising on the front and back page of the directory at a cost of \$3,500. She also referenced a positive story on the front page of the Bulletin regarding our participation in this directory.
- Battles reported that the security system at the Solar Farm is finished and that training will be done next week.

Shields reported:

- The draft CEQA Initial Study and negative Declaration for Division 9 Pressurized System Project is complete. He handed out copies. The system will have about 12.5 miles of pressurized pipe.
- Proposition 1A was suspended by the Governor and Legislature. All counties, cities and special districts will be forced to give up 8% of their share of property taxes. He said the cities and fire districts in the district will be forced to give up \$1,781,354.59. He said if the Board is interested in funding this amount for the entities and taking the chance of collecting from the State of California he will pursue it with the various entities. Consensus of the Board: Directors Holbrook, Kuil and Schulz are for working with them, and Director Kamper and Roos feel the District should not become a lending agency.
- Tri-Dam received a protest on the third unit at Tulloch based on steelhead water diversions.
- Tri-Dam's next meeting is at OID on Tuesday, August 18, 2009 at 1:00 p.m.
- Handed out a letter from Baker Petrolite, the manufacturer of "magnacide" which says they are going to continue to deliver this product through the 2009 season, but after the end of this season this product will no longer be available. We, along with other irrigation districts, are asking them to extend production through the 2010 season. Shields said he will keep the Board informed as to the status of those efforts and other options.

President Kamper called for Directors reports:

Director Kuil asked staff to look into the locking of Mr. Silvera's valve. Bologna said because he was taking water without District permission. Kamper said we will have the Ag Committee work with staff on Mr. Silvera's request.

Director Schulz asked about purchasing State of California IOU's which are paying 3.7%. After discussion it was the consensus of the Board not to look into purchasing IOU's.

President Kamper called for closed session. District Counsel Emrick said the Board will discuss items d. and e. in closed session.

- a. Conference with legal counsel, anticipated litigation, initiation of litigation Gov Code, S. 54956.9. One Case.
- d. Conference with legal counsel, existing litigation, San Joaquin County Superior Court case No. CV029620. Gov. Code, S. 54956.9. Her v. Wimmer, et. al.
- e. Conference with legal counsel anticipated litigation significant exposure to litigation. Two Cases. Gov. Code, S. 54956.9

Upon returning from closed session District Counsel Emrick reported 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 Kuil, to adjourn to August 25, 2009 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary