

Manteca, California
August 13, 2013

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. President Roos 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 Counsel Steve Emrick, Finance/Administration Manager Bere Lindley, Engineering Department Manager Sam Bologna, and Executive Secretary Betty Garcia.

Director Roos asked for public comment and there was no public comment.

The Board was asked to consider the following Consent Calendar Items.

CONSENT CALENDAR

- A. Approval of Warrants in the amount of \$523,889.95; A/P Wires in the amount of \$489,819.58 and payroll for July 26 and August 9 in the amount of \$372,482.16.
- B. Approval of Board Meeting Minutes of July 23, 2013.
- C. Approval of the Special Board Meeting Minutes of August 5, 2013
- D. Approval of consent to SSJID's entry of property to read and owner's agreement to maintain flow meter, Dale & Patricia Van Groningen, APN 228-110-01.
- E. Approval of consent to SSJID's entry of property to read and owner's agreement to maintain flow meter, Dale & Patricia Van Groningen, APN 228-110-06.
- F. Approval of consent to SSJID's entry of property to read and owner's agreement to maintain flow meter, Jeffrey & Judith Van Groningen, APN 228-110-04.
- G. Consider approval of Resolution #13-13-W supporting passage of H.R. 2554, a bill to increase water storage availability at the New Melones Reservoir to provide additional water for areas served below the reservoir, and for other purposes.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION #13-13-W**

**RESOLUTION SUPPORTING PASSAGE OF H.R. 2554
A BILL TO INCREASE WATER STORAGE AVAILABILITY AT THE
NEW MELONES RESERVOIR TO PROVIDE ADDITIONAL WATER FOR AREAS
SERVED BELOW THE RESERVOIR, AND FOR OTHER PURPOSES**

WHEREAS, the South San Joaquin Irrigation District (“District”) was established in 1909 to provide a reliable and economic supply of irrigation water for the agricultural areas around the communities of Escalon, Manteca, and Ripon; and

WHEREAS, the District jointly owns, with the Oakdale Irrigation District (“OID”), pre-1914 water rights to the Stanislaus River for the first 1,816.6 cubic feet per second; and

WHEREAS, in 1926 the District and OID constructed the 211 foot high Melones Dam on the Stanislaus River, which gave the two districts the ability to store 112,500 acre-feet of water; and

WHEREAS, in 1944 Congress authorized the construction of New Melones Dam and reservoir at a location immediately downstream from the existing Melones Dam and reservoir built by the District and OID; and

WHEREAS, when New Melones reservoir was filled in the early 1980s, it completely inundated and rendered useless Melones Dam and reservoir; and

WHEREAS, the location of New Melones is upstream from Goodwin Dam and reservoir, from which the District and OID each divert water for use within their respective boundaries; and

WHEREAS, in 1988, the District, OID, and the United States Bureau of Reclamation (“Reclamation”) entered into an agreement regarding the operation of New Melones as it affected the exercise of the two districts’ senior water rights, including the loss of storage at Melones Dam and reservoir; and

WHEREAS, as part of the agreement reached in 1988, the District and OID obtained a conservation account into which, under certain conditions and restrictions, they could place unused water for use in a subsequent year; and

WHEREAS, the conditions and restrictions associated with the conservation account have made access to and use of the account infrequent and unreliable despite the best intentions of the parties; and

WHEREAS, the federal law authorizes the Secretary of the Department of the Interior (“Secretary of Interior”) to enter into contracts with non-federal entities enabling them to use underutilized federal facilities to store water, commonly referred to as a Warren Act contract; and

WHEREAS, for several years the District and OID have requested a Warren Act contract from the Secretary of Interior and Reclamation which would enable them to store water in New Melones; and

WHEREAS, if the District and OID had the ability to store water in New Melones, it would improve the reliability of their joint supply for in-District use, as well as provide a supply of water that could at times be made available for use to other water users in the San Joaquin Valley; and

WHEREAS, despite the repeated requests, the Secretary of Interior has refused to grant a Warren Act contract to the District and OID without explanation; and

WHEREAS, the District and OID requested assistance from Congressman Denham in acquiring a Warren Act contract; and

WHEREAS, in response to the request from the District and OID, Congressman Denham authored H.R. 2554, which was introduced to the House Committee on Natural Resources on June 27, 2013; and

WHEREAS, if enacted, H.R. 2554 will require the Secretary of Interior to offer a Warren Act contract to the District and OID for the storage of up to 100,000 acre-feet of water in New Melones; and

WHEREAS, the District has reviewed the terms and conditions of H.R. 2554, and agrees with them; and

WHEREAS, the District wishes to formally express its support for enactment of H.R. 2554.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors of the South San Joaquin Irrigation District as follows:

1. The District supports the enactment of H.R. 2554.
2. The District will work with Congressman Denham to achieve the enactment of H.R. 2554.
3. The enactment of H.R. 2554 will improve the reliability and flexibility of its Stanislaus River water supply, which will benefit the District's customers and landowners, as well as other users in the San Joaquin Valley.
4. The staff of the District is authorized and directed to take appropriate action to insure that the intent of this resolution is actively pursued.
5. This resolution supersedes and makes null and void all prior resolutions concerning the subject matter.
6. This resolution is effective upon the date of its adoption.
- H. Consider approval for installation of a new turnout on Olive Avenue for Mr. William Huang.

Director Kamper asked if staff had prepared a check for Mr. Kamps. Mr. Bologna said the check had already been cut but he was waiting for Mr. Kamps to come in and sign an amendment to a structure permit.

Director Holbrook asked a question in regards to item G, the Resolution to support H.R. 2554 and said that item #5 on page two of the Resolution states this Resolution supersedes and makes null and void all prior resolutions concerning the matter. Mr. Emrick said this is the language that Oakdale Irrigation District included in their resolution and the District wanted our resolution to be similar to theirs. It was suggested that item #5 be deleted from the resolution.

Mr. Sam Bologna noted the backup paperwork on item #H did not relate to the subject and asked the board to disregard.

A motion was made by Director Holbrook and seconded by Director Kuil to adopt the Consent Calendar items with the changes as indicated above by the following roll call vote:

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

ACTION CALENDAR

Item #1 – Consider approval to replace online water quality analyzers

Mr. Erisman reported that most of the online analyzers are out of date and no longer supported by HACH. He said some of the analyzers are showing signs of inevitable failure. The new analyzers life expectancy is 7 to 10 years.

A motion was made by Director Holbrook and seconded by Director Holmes to accept the quote from HACH in the amount of \$30,964 plus tax and shipping. Motion passed unanimously.

Item #2 – Reconsider denial of the request made from Meritage Homes to allow a construction window to connect to District pipeline

Mr. Bologna introduced Mr. Edward Cornejo of Meritage Homes who reviewed a PowerPoint presentation with the Board. He explained their reasons for wanting to connect to the District pipelines before the end of water season. One of the main reasons is to take advantage of the summer conditions as opposed to the winter weather conditions. A lengthy discussion followed.

A motion was made by Director Holbrook and seconded by Director Kuil to approve a construction window subject to the following conditions being met:

- a) The work must start within 24 hours after the water is out of the pipeline
- b) Allow as much cure time as possible in order for concrete to set
- c) Must secure each landowners consent to a change in the proposed schedule and that work may take from 2 to 5 days after the water is out of the pipeline
- d) Meritage agrees to pay for any overtime incurred by District inspectors

The motion passed 3 to 2 with Directors Holmes and Kamper casting no votes.

At this time, Mr. Hubkey gave his manager's report as follows:

- Plant staff met with the Regional Water Quality Control Board on Monday and gave a tour to their staff and gained a better understanding of how the citric acid is used in the quarterly cleaning process. The WTP may have the permit by December.
- Staff will be meeting with Caltrans tomorrow to resolve the movement of an airvac located on the West side of the Lathrop Road overpass. This has been an ongoing process that has been disputed over several weeks.
- A local business man is hauling away the old liquid chlorine tanks this week. The new tanks should arrive next week.
- The new screw compressors have arrived and the retrofit has begun to replace the old piston compressors in the Zenon building.
- Power is now installed at the M-1 & M-4 supply stations. Plant staff will be working with the City of Manteca's staff to put both sites in operation.

Item #3 – Presentation of the new SSJID Website

Ms. Troylene Sayler presented a live display of the new SSJID website. She reviewed the history page that tells the story of SSJID along with lots of pictures. She also discussed the facilities maps, Division Managers maps, and the Director's Division maps. Each of the Directors are listed on the website along with their pictures, divisions, background information, hobbies, etc. She asked the Board to review their information and if they would like to change or add information to let her know and she would take care of it. She reviewed the Board Agendas and Minutes section and the Management staff. Ms. Sayler demonstrated the ease of navigating through the website and asked for input.

The Board thanked Ms. Sayler for all of her hard work and dedication to getting the website completed.

Item #4 – Presentation regarding the use of iPads to streamline the agenda process, enhance efficiency, and anticipated cost savings benefits

Ms. Garcia stated she had recently attended a City Clerk's workshop and one topic of discussion was the use of iPads to distribute agenda packages to elected officials instead of distributing paper copies. She discussed the benefits of going "paperless" and how this process will work nicely with the District's goal to update its records management policy. Costs of implementing use of the iPads will be recovered within the first 18 months of use with savings in supplies and staff time to reproduce the agenda packets. She indicated the iPad would be optional for those Board members who would like to implement use of the device. Mr. O'Leary demonstrated live how to operate the iPad and such features as highlighting areas of interest and inserting notes where needed. The Board members were receptive to the idea and asked if links to specific items could be added. Mr. Lindley suggested a table of contents with links where you could click on an item and it would give you immediate access to that item rather than have to scroll through the document. Mr. O'Leary said all their requests could be accommodated. Discussion of who would own the iPads ended with consensus that the District should purchase and own the iPads and lend them to interested directors during their term of office.

A motion was made by Director Holmes and seconded by Director Holbrook to authorize the purchase of iPads to lend to any Director who wishes to use them and for staff to develop a policy regarding the use of the iPad. Motion passed 4 to 1 with Director Kamper casting a no vote.

Item #5 – Consider compensation adjustment for General Counsel after Closed Session

Item #6 – Communications

President Roos asked for Directors Reports.

Director Holbrook

- He recently attended a HydroVision conference where there were presentations on (1) the consequences of dam failure, environmental issues and FERC consultant process; (2) using training programs to fill critical positions where there is likely to be a shortage of qualified personnel; and (3) value of hydro resources.
- He informed the Board of the EBMUD invitation to a summer BBQ at Pardee.
- He spoke to the fire at Donnells and said little damage had been caused to the conduits with no damage to valves. The fire at this time was 95% contained.

Director Holmes

- He gave a brief update of the Tri Dam committee meeting that spoke to upcoming agenda items and employee handbook and labor agreements.

President Roos asked for Managers Reports.

Don Battles, Utility Systems Director

- He stated the tracker motor system at the solar farm on Phase II was not working properly.

Troylene Sayler, Communications Coordinator

- The BIA Policy Makers event will be held on September 16 at 5:00 p.m. at the Stockton Golf and Country Club. She noted that SSJID will be sponsoring the City of Ripon and encouraged the members to contact council members as well as the Mayor to attend the event.
- The Manteca Rotary Golf tournament is on September 19.
- Police Chief's Ball, "A Night Among Heroes" will be held on September 21.
- The Agape Village annual golf tournament will be held on Friday, September 27 and both Directors Holbrook and Roos are scheduled to attend.
- Pumpkin Fair, October 5-6.
- Senior Breakfast Day, November 16.

Sam Bologna, Engineering Manager

- Conservation Program has received 143 applications; \$898,292 allotted.
- Division 9 project enhancements; web interface enhancements; there are still issues with the moisture sensors. Retention monies were released to Knife River today.

- Completion of Woodward Dam inspection at the face of the dam.
- Requests for annexations; an increase in development.
- Turnout for Huang – the flow will be 800 gpm.

Bere Lindley, Finance/Administration Manager

- District received payment for spring water transfer in the amount of \$4 million.
- Knife River retention monies were released.
- General Manager Shields signed an amendment to the agreement for the South Delta Water agency water transfer to authorize the transfer of an additional 15 acre-feet in August.
- Attended Calla Nile Farm Center Quarterly Meeting. There was good discussion about SSJID and its interest in pressurizing the District's system, and the retail electric project.
- Annual Safety Day is November 6. Staff is planning for a caterer to serve chicken fajitas.

General Counsel announced the Board would be discussing items 7 a & b under Closed Session.

ITEM #7 – CLOSED SESSION

7. a. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Initiation of litigation pursuant to subdivision © of Government Code
Section 54956.9 – 2 cases
- b. Public Employment Performance Evaluation
Government Code Section 54957
General Counsel

Upon returning from closed session, the following action was taken on item #5, Consider compensation for General Counsel.

A motion was made by Director Kamper and seconded by Director Holmes to increase the General Counsel's pay to \$198,000 retroactive to July 1 and that he begin paying the full amount of the employee contribution of 8% of subject compensation into PERS, also retroactive to July 1. Motion passed 4 to 1 with Director Holbrook casting a no vote.

ITEM #8 - ADJOURNMENT

There being no further business to come before the Board, it was moved by Director Kamper and seconded by Director Holbrook to adjourn the meeting at 1:16 p.m. Motion passed unanimously.

ATTEST: _____
Betty Garcia, Executive Secretary