

Manteca, California
August 25, 2009

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: HOLBROOK KAMPER KUIL SCHULZ ROOS

Also present were Secretary/Manager Shields, District Counsel Emrick, Engineering Department Manager Bologna, Utility Systems Director Battles, Telemetry Systems Supervisor Avila, Communications Coordinator Sayler and Water Treatment Plant Manager Hubkey.

President Kamper called the meeting to order and asked for public comment. Brad Goering, wine grape grower from Lodi said he was going to run against Congressman McNerney and would appreciate the support of the Board.

President Kamper thanked Mr. Goering and asked the Board to consider approving the Consent Calendar items as submitted.

CONSENT CALENDAR

- A. SSJID Warrants of \$848,472.79 and wires of \$117,775.35.
- B. Regular Board Meeting Minutes of August 11, 2009.

Motion by Director Kuil, seconded by Director Roos, to approve the Consent Calendar items as submitted.

PASSED AND ADOPTED this 25th day of August 2009 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

Shields asked to go to item 7 since Charlie Simpson of InSite Environmental was in attendance. Motion by Director Holbrook, seconded by Director Roos, and unanimously carried to address item 7 out of order.

Consider approval of Resolution 09-11-C; Adopt a Mitigated Negative Declaration for the Division 9 Irrigation Enhancement Project. Mr. Simpson of InSite Environmental addressed the Board. He confirmed that they found no significant effects that could not be mitigated to a level of insignificance. The potentially significant impact, concerns an open ditch that is a possible wetlands, elderberries, storm water and dust control. All of these he said can be mitigated easily. He said the Public Review ended today and that he has received only two comments. One from the Air Control Board asking for a permit, which he does not think is needed. The other from Cal Trans saying they had no comment. President Kamper asked if any members of the audience, board or staff had comments. There were no comments. Mr. Shields recommended that the Board adopt the proposed Resolution submitted to the Board. Motion by Director Holbrook, seconded by Director Kuil, to adopt Resolution No 09-11-C.

SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 09-11-C
APPROVING INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
FOR DIVISION 9 ENHANCEMENT PROJECT

WHEREAS, South San Joaquin Irrigation District (“District”) proposes to construct and operate a new pressure irrigation system to enhance the existing irrigation system in a portion of Division 9 (“Division 9 Project”); and

WHEREAS, the District caused to be prepared an Initial Study/Mitigated Negative Declaration for the Division 9 Irrigation Enhancement Project (“Mitigated Negative Declaration”) which demonstrates that there is no substantial evidence that the Division 9 Project could have any significant effects on the environment that cannot be effectively mitigated to a level of insignificance and states that South San Joaquin Irrigation District shall adopt a mitigated negative declaration; and

WHEREAS, the District provided notice of the opportunity for the public to review the Mitigated Negative Declaration and the date and time at which the District intends to approve the initial study and the mitigated negative declaration, in the manner required by law, by publication in a newspaper of general circulation in the project area, and posting for at least 20 days with the County Clerk for San Joaquin County; and

WHEREAS, the District provided notice and an opportunity for review of the Mitigated Negative Declaration to state agencies to by providing a Notice of Completion and copies of the initial study and mitigated negative declaration to the State Clearinghouse; to the San Joaquin Valley Air Pollution Control District and to affected local agencies including the County of San Joaquin and the City of Ripon; and

WHEREAS, the District’s Board of Directors has considered whatever public and agency comments have been received; and

WHEREAS, the District’s Board of Directors has considered the Final Initial Study/Mitigated Negative Declaration for the Division 9 Irrigation Enhancement Project dated August 25, 2009 (“Final Mitigated Negative Declaration”); and

WHEREAS, the District’s Board of Directors finds that the revisions to the Mitigated Negative Declaration set forth in the Final Mitigated Negative Declaration are not substantial and do not require recirculation before consideration and adoption; and

WHEREAS, on the basis of the whole record before it, the District’s Board of Directors finds that there is no substantial evidence that the Division 9 Project will have any significant effects on the environment that cannot be effectively mitigated to a level of insignificance; and

WHEREAS, the Final Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act (Public Resources Code §21000 et seq.; CEQA); and

WHEREAS, the Final Mitigated Negative Declaration reflects the independent judgment and analysis of the District’s Board of Directors; and

WHEREAS, the District has prepared a Mitigation Monitoring Reporting Program (“Monitoring Program”) for reporting on or monitoring the measures that mitigate or avoid the potential significant effects of the Division 9 Project, and that program will be adopted as a part of the approval of the Division 9 Project; and

WHEREAS, a copy of the Monitoring Program is attached to this Resolution; and

WHEREAS, the District’s Board of Directors makes as part of its findings, all of the analysis and findings in the Final Mitigated Negative Declaration,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

1. Makes the findings set forth above, each of which is found to be true.
2. Approves the Final Mitigated Negative Declaration for the Division 9 Project.
3. Incorporates all of the findings in the Final Mitigated Negative Declaration into the record of its adoption of the Final Mitigated Negative Declaration and its decision to carry out the Division 9 Project.

4. Finds that the Division 9 Project will not cause any significant environmental impacts that cannot be mitigated to a level of insignificance.
5. Adopts the Monitoring Program for the Division 9 Project and instructs staff to carry out the mitigation measures in the Final Mitigated Negative Declaration and the Monitoring Program.
6. Directs the General Manager to execute a Notice of Determination as to the actions set forth above and to file the Notice of Determination with the County Clerk of San Joaquin County for posting for a thirty day period in accordance with CEQA.
7. Directs that any required filing fee for filing the Notice of Determination, including any fee due the California Department of Fish and Game, be paid.
8. Directs that the documents and other materials that constitute the record of the proceedings regarding the Final Mitigated Negative Declaration for the Division 9 Project adopted by South San Joaquin Irrigation District is available at 11011 E. Highway 120, Manteca, California.
9. Elects to carry out the Division 9 Project.

PASSED AND ADOPTED this 25th day of August 2009 by the following roll call vote:

Ayes:	Holbrook	Kuil	Kamper	Schulz	Roos
Noes:	None				

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 25th day of August, 2009, on the motion of Director Holbrook, seconded by Director Kuil and unanimously adopted.

Consider accepting bid for Phase 1 of the Water Treatment POP Project. Hubkey told the Board that we sent RFP's for the work to eight contractors. Six showed up for the walk through. However, only one submitted a bid. Forsgren & Associates spoke to the contractors who did not submit proposals and questioned why they did not bid. Plant staff reviewed the responses and found them acceptable. Also, Tesco Controls bid has a not to exceed amount of \$50,000 for inspection work, SSJID plant staff will do the work. Hubkey recommended approval of the Ross F. Carroll bid for a total of \$432,500, and \$50,000 for Tesco Controls, the total is well under the budgeted amount of \$742,154. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried to approve the Ross F. Carroll bid of \$432,500 and the Tesco Controls bid of not to exceed \$50,000.

Hubkey gave his manager's report.

- WTP lost power on August 18, 2009 for about 5 hours when a vehicle struck a power support structure on Dodds Road. As a result, the Solar Plant was shut down for about 1 ½ days.
- We have selected and made an offer to fill the vacant operator's position.
- Quarterly acid cleans will begin next week.

Consider approving replacement of actuators on Drop's 7 and 10 on the Main Distribution Canal. Avila told the Board that this is a continuing effort to replace old actuators because of the absence of necessary parts and that when they are delivered his staff will install them. He recommended approval of the bid from Rotork, Inc. for two actuators at a cost of \$11,800. Director Kamper asked that next time he attach any other bids he received. Avila said he would be sure to do that. Motion by Director Holbrook, seconded by Director Kamper, and unanimously carried to approve the purchase from Rotork at a cost not to exceed \$11,800.

Consider new DVR for the yard camera security system. Avila said he got three bids ranging from \$2,936.25 to \$3,699.00. He recommends accepting the low bid from ISpyVision of \$2,936.25. Motion by Director Kuil, seconded by Director Roos, and unanimously carried to authorize the purchase of a new DVR from ISpyVision at a cost not to exceed \$2,936.25.

Discuss proposed Capital Improvement Projects for the 2009/2010 Maintenance Season Request authorization for staff to proceed with the design and to hire an engineering firm to prepare the plans for the proposed projects. Shields said staff and the Ag Committee have selected several projects for this maintenance season. Cost for the selected projects will total approximately \$6,000,000. Bologna recommended hiring MCR to do the design work at a cost of \$343,735 and allow staff to solicit bids for the projects as soon as the plans are complete. Director Roos asked how long it will take to put all this together and start work on the projects. Bologna said we are currently working on four of the projects and should have all the projects ready by November 1, 2009. Director Kuil asked if we will be buying the pipe like we did last year. Bologna said yes, but unlike last year we will get estimates on the pipe by size and go with the low bidder instead of hiring one supplier. Bologna said the Ag Committee recommends lining the R canal, instead of piping it. Kamper said his reason is he does not think the cost to pipe is justified. After discussion it was moved by Director Holbrook, seconded by Director Kuil, to approve hiring MCR at a cost of \$343,735 and allow staff to solicit bids for the projects; also, to get bids for both piping and lining the R line. The Ag Committee will decide whether to pipe or line the R based on the bid numbers. Motion carried unanimously.

Discussion and possible action relative to extending the Private Valve Replacement Aid Program that was implemented last maintenance season. Bologna said he would like to continue the program with at least the \$1,000 District contribution toward the valve replacements. He said this worked well last year and benefited the District. Director Roos said he would like to see the District contribution increased to \$1,250. Director Holbrook said he would support that at \$1,500. Director Roos amended his motion to increase support to \$1,500, Director Holbrook seconded the motion. Don Schapman was in the audience and said he does not want to have to replace his valves. District Counsel Emrick stated there is a bill right now in the legislature to require metering all deliveries. He said if this bill passes we will need to implement a program to be in compliance. Emrick feels it may be prudent to look at changing the procedure to require a separate line that parallels our line whereby we would only have to meter one valve to landowner. Motion carried 3 to 2 with Directors Schulz and Kamper opposed.

Consider amending approval for the Islamic Center Project. Shields said we have had multiple meetings with Islamic Center representatives and have a resolution that would have our crews do the work and the Islamic Center will pay the District \$75,000. If the cost to do the work is less than \$75,000, the remainder will be returned to them. Director Holbrook said he thinks the Islamic Center needs to replace the pipe themselves per our specifications due to liability, and if not he said he is opposed. Bologna recommended that the Board approve that the Islamic Center pay the \$75,000 to be fully paid, in advance, subject to certain stipulations and agreements to be outlined in the Developer's Agreement making the Islamic center liable for all aspects of the project. Motion by Director Schulz, seconded by Director Kuil, to approve the District crews replacing the pipeline and to require the Islamic Center to pay \$75,000 in advance as outlined in the staff report. Motion Carried, Ayes 4, Noes 1 with Director Holbrook voting No.

Discuss various policy issues relative to the proposed Division Nine (9) Irrigation Enhancement Project. Bologna said he needs direction from the Board on key issues such as:

- What costs to pass along to farmers?
- Should we look at Improvement Districts?
- What about a basic fee, in addition to the current per acre fee of \$24.00, such as \$500 connection fee plus \$30/af for the first 3 acre feet and \$40/af for each acre foot over 3. This cost, according to Bologna, will or should reimburse the District for the cost of electricity to pressurize the lines.

- If we do bill should we bill semi annually or monthly?
- What do we do when we have landowners who did not join in originally or new landowners who want to join later?
- Do we set a higher cost for peak usage for example from Noon to 6 pm? Possibly set the cost at double the acre foot rates above?
- Do we charge those who have a spur line and not those that do not?
- If we do charge those with a spur line do we finance each spur line separately with payback over time using procedures established in our annexation policy?

Emrick said maybe we should look at the costs again, for extending lines to all parcels in the area of benefit, give them to the Ag Committee and have them make recommendations for the Board. Shields said we have set September 16, 17, and 18 for meetings with the landowners to discuss and get their input.

Motion by Director Holbrook, seconded by Director Kuil and unanimously carried, to send this to the Ag Committee for a recommendation on the questions above and any others that come up from landowners, and others.

Consider purchase of updated wall maps for the District offices. Bologna said we asked for and received three proposals. Haas Grafix, Stockton \$3,008.00; Brownies, Sacramento \$2962.42; and Pictopia, Culver City \$3,762.16. He said the costs above do not include laminating and mounting. He recommended the Board allow staff to select the vendor at a cost not to exceed \$5,000.00. Motion by Director Schulz, seconded by Director Kuil, to authorize staff to select the vendor at a cost not to exceed \$5,000. Motion Carried, Ayes 4, Noes 1, with Director Roos voting No.

Consider setting a Special Meeting for September 3, 2009. Motion by Director Kuil, seconded by Director Holbrook, and unanimously carried, to set a Special Meeting for September 3, 2009 at 9:00 a.m.

President Kamper asked for manager's reports:

Battles reported:

- When we lost the 115 KV line which feeds Valley Home substation due to the wreck on Dodds Road between a car and the tower carrying the 115 KV line, we were unable to deliver solar power because the alternate substation which was used does not have protection for solar power. We are looking at the cost of that protection, which we would have to pay. Our loss was approximately 15,600 Kwh, lost revenue was \$7,556.00.

Shields reported:

- Relative to the grant we applied for with the USBR which we did not get, we have yet to hear why.
- Had a budget process meeting last week put on by Robin Giuntoli, Finance Supervisor and Cathy Mason, Finance Accounting Technician.
- At the WTP Operations Committee meeting yesterday, Steve Bailey of Tracy asked us to join the valley group studying salts in water returning to the rivers. We currently have representation through the River Group Authority, but will look at possibly increasing our presence.
- Leroy Rampoldi's last day of work was last Friday, August 21, 2009, however he will use vacation until December when he officially retires.
- Received a letter from the San Francisco Board of Supervisors asking our support to stop an initiative financed by PG&E to stop competition.
- Met with Ripon Mayor Chuck Winn and their City Manager, Leon Compton relative to a 30 foot deep hole they want to allow a landowner to make in return for deeding the land to them.
- California Special Districts Association (CSDA) is looking for committee members. Anyone interested please contact me.

Sayler reported:

- On September 3, 2009 from 5:30 to 6:30 p.m. Escalon Chamber is having a mixer at the Escalon library.

President Kamper asked for Director comments.

Roos asked about financials, said there were some statements dated June 30 and some July 31. Stein said he would correct that and get correct statements delivered.

Holbrook reported:

- Attended the San Joaquin County Flood Control and Water Conservation District Advisory Commission August 19, 2009 meeting.
- Statewide drought and forecast for the coming year by Dr. Mel Lytle, San Joaquin County Water Commissioner.
 1. 90% of the worlds glaciers are growing
 2. Most of the glaciers in California are growing
 3. Glaciers in the Antarctica are growing at the rate of 7 feet per day for the first time in 250 years.
 4. The average temperature has dropped .075 degrees.
 5. Predicts a wet 2009-2010 water year.
- The 5 Delta Counties Coalition submitted letters to Senator Pauley and Assemblyman Huffman regarding the bills they are submitting in their respective houses. These bills as submitted are very punitive in nature including civil liability not to exceed \$500 for violations involving the unreasonable use of water.
- The main purpose of the bills is to send water south and have the entire state pay for it.
- A proposal has been discussed to install two 27 foot diameter pipes 150 feet below the surface through the Delta.
- No legislative body seems to be interested in water rights or maintaining the Delta
- The resolution supports the 5 Delta Counties Coalition's effort to protect the Delta and the counties.
- Said he attended the Republican Women's Grill & Shoot at the Manteca Gun Club on August 22.

President Kamper called for closed session District Counsel Emrick said the Board will discuss items a) and b) in closed session.

- a) Conference with legal counsel, anticipated litigation, initiation of litigation, Gov. Code, S. 54956.9. One case.
- b) Conference with real property negotiator. Gov, Code, S. 54956.8. Negotiating parties: District and City of Stockton, Stockton East Water District; District's negotiators: General Manager and General Counsel. Under negotiation: price and terms of payment for sale of water.

Upon returning from Closed Session District Counsel Emrick announced there was no reportable action taken in closed session.

There being no further business to come before the Board it was moved by Director Roos, seconded by Director Schulz, and unanimously carried to adjourn to the Special Meeting on September 3, 2009 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary