

Manteca, California
September 12, 2000

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 Secretary/Manager Martin, Attorney Emrick, and Engineering Department Supervisor Bologna.

President Roos called the meeting to order and asked for public comment. There being none he asked the Board to consider approving the Consent Calendar as submitted.

CONSENT CALENDAR

- A. SSJID Warrants of \$89,202.78 and Payrolls of \$112,929.22.
- B. Regular Adjourned Board Meeting Minutes of August 22, 2000 and Special Board Meeting of August 29, 2000.
- C. Consider conditional acceptance of improvements related to the replacement of a portion of Drain 4 within the Alameda Meadows development and authorize recording of a Notice of Completion for same.
- D. Consider5 conditional acceptance of improvements related to the installation of the new Lateral "T" and "Tb" connection within the Tidewater Bikeway and authorize recording of Notice of Completion for same. Additionally, authorize the Quit Claim of all obsolete District easements located within the Spreckles Park Development.
- E. Consider conditional acceptance of work performed by C.T. Brayton and Sons relative to the building addition for the Engineering Department and authorize the recording of a Notice of Completion for same.
- F. Consider extension of interim agreement with the City of Manteca, with amendments which allow the City to continue to utilize the District's drainage system until a final drainage agreement is completed and approved.
- G. Consider approval of interim agreement with the City of Escalon which will allow the City to continue to utilize the District's drainage system until a final drainage agreement is completed and approved.

The Board asked that items "F" and "G" be moved to the end of the action calendar.

Motion by Kamper, seconded by Haworth to adopt Consent Calendar Items “A” through “E” as submitted.

PASSED AND ADOPTED this 12th day of September 2000 by the following roll call vote:

Ayes:	DeGroot	Haworth	Kamper	Roos	Schulz
Noes:	None				

Consider acceptance of offer by City of Ripon to purchase a strip of land which is located adjacent to the Cities basin on Jack Tone Road. (APN 245-170-22) Bologna said the parcel is approximately 50 feet by 1,320 feet. The District has no facilities on the parcel. The letter of agreement between the District and the City of Ripon provides that should the City sell the land within three years, the City must pay to the District any profits from the sale. The price is \$4,042.50 for the land, which is 25% of the appraised value. **Motion by Schulz, seconded by Kamper, to accept the offer of \$4,042.50 with the terms as stated above, to authorize execution of the letter of agreement execution of the quit claim deed to the City of Ripon. Motion Carried, 3 Ayes, 2 Noes, with Directors DeGroot and Haworth voting No.**

Consider authorizing the purchase of pipe to complete the final phase of Lateral “B” replacement project including that portion of pipe needed for the new section of the Campbell Drain. Also, consider authorizing replacement of a portion of Lateral “Na” and consider purchasing additional pipe needed for the other projects slated for this maintenance season. Bologna said by purchasing the pipe early we will not only secure the best price, also, we will avoid delays and eliminate markups on pipe by the contractor who wins the bid on laying the pipe. He said the cost of the pipe is estimated at approximately \$360,000. Additionally, he would like authority to send out requests for proposals for the Lateral “B” and Campbell Drain. **Motion by Schulz, seconded by Kamper, and unanimously carried, to authorize obtaining bids for the pipe and purchasing the pipe at the lowest cost.**

Review and evaluate legislative bill AB 2638 as it pertains to retail power. Martin reported the bill was passed by the legislature, but not yet signed by the Governor. He stated the bill exempts SSJID from most of the provision, and it gives us the right to serve inside the District. However, the bill gives Modesto Irrigation District (MID) access to our District. The two circuits we have been negotiating with PG&E to buy are still an option. However, unlike MID we will have to go to LAFCO. No action was taken.

Review status of Change of Sphere of Influence petition with LAFCO and approve payment of \$990 filing fee. Martin said the application is not just specific to the two circuits we want to purchase from PG&E, we have expanded the area and the purpose to include irrigation and drainage. Martin recommends approving payment of the filing fee. **Motion by Schulz, seconded by DeGroot, and unanimously carried, to authorize filing for the Change of Sphere of Influence with LAFCO and payment of the \$990 filing fee.**

Discussion and possible action concerning OID and SSJID attorney bills. Item was tabled until we receive letter from OID relative to action taken at their board meeting September 5, 2000.

No action was taken.

Review and approve S.I.D.E. Addendums 1 and 2. Martin said addendum 1 concerns the debris removal with traveling screens. Addendum 2 is the investigation of the Highway 99 pipeline. At the July 11, 2000 meeting the Board asked that these two items be further investigated. **Motion by Kamper, seconded by DeGroot, and unanimously carried, to approve the addendums. Additionally, to inclusion that the engineering design may be modified.**

Discussion and possible action concerning creation of new Assistant Water Superintendent/Nights position. Martin asked the Board to adopt the Job Description, \$47,000 annual salary, and authorize filling of the position. **Motion by Schulz, seconded by Kamper, to approve the job description as submitted, authorize the General Manager to advertise and hire a new position at an annual salary of \$47,000. Motion carried, 3 Ayes, 2 Noes, with Directors Haworth and Roos voting No.**

Consider adoption of draft policy for counseling services. Martin told the Board this would be used to assist employees who are experiencing emotional problems which are effecting their ability to perform their duties. The insurance covers the cost less a co-pay of \$50 which the District would pay. The policy would authorize the General Manager to authorize payment of problems that are work related. Martin estimates the annual cost to be approximately \$1,000.

South San Joaquin Irrigation District
POLICY
Employee Counseling Services

General:

South San Joaquin Irrigation District has invested many hours and dollars to train and develop our employees to adequately perform their work. It is essential that SSJID employees be capable and fit to perform the assigned tasks. The District recognizes from time to time, employees encounter certain obstacles to performing those tasks. The purpose of this policy is to establish guidelines by which an employee may receive some assistance to help resolve those problems which require counseling service when the problems are work-related and interfere with the performance of their duties.

Eligibility:

- H) All permanent employees of SSJID are eligible for counseling service assistance.
- I) Assistance is limited to work-related problems and the problems must be of such a degree as to interfere with the employee's performance of his/her work duties.
- J) Assistance is limited to payment of the co-payment as established by the insurance company.

Procedure:

- H. Employees shall contact their immediate supervisor and advise them of their desire to seek counseling. The employee shall also tell their supervisor why they need counseling, how it is interfering with their work and how it is related to their work.
- I. The Supervisor shall notify the General Manager of the request and the circumstances related to the request.
- J. The General Manager shall make a determination if the request is eligible, shall notify the employee of the determination and if the District will provide assistance.
- K. The Employee will make application for counseling services through the insurance company.
- L. After the insurance company has approved the request and if the request is eligible for participation, the District will pay the employee's co-pay amount.
- M. The General Manager and the supervisor shall maintain the confidentiality of the employee.

**Motion by Kamper, seconded by DeGroot, to approve the policy as recommended.
Motion carried, 4 Ayes, 1 No, with Director Haworth voting No.**

Consider adopting Resolution No 00-11-H, Resolution of Recognition, effective June 27, 2000.
Motion by Haworth, seconded by Schulz, to adopt Resolution No. 00-11-H.

RESOLUTION 00-11-H
RESOLUTION OF RECOGNITION

WHEREAS, John Pulver has effectively served the San Joaquin County Department of Public Works as its Water Resources Coordinator for the since July 3, 1989 in the areas of flood control and groundwater recharge; and,

WHEREAS, South San Joaquin Irrigation District recognizes his tireless efforts to encourage cooperation among local public agencies with differing interests in water-related matters; and,

WHEREAS, South San Joaquin Irrigation District acknowledges John Pulver's significant contributions toward the effective use of the County's ground and surface water resources; and,

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of South San Joaquin Irrigation District hereby further extends its sincere appreciation to John Pulver for his years of service to the County and expresses its best wishes to John Pulver and his future endeavors.

PASSED AND ADOPTED this 12th day of September 2000 by the following roll call vote:

Ayes: DeGroot Haworth Kamper Roos Schulz
Noes: None

Set a date for the end of the 2000 irrigation season. Martin recommended ending the season on October 19th. He said if the Board approves this date the annual safety meeting will be scheduled for October 23, 2000. **Motion by Schulz, seconded by Kamper, and unanimously carried, to establish October 19, 2000 as the last day of the 2000 irrigation season.**

Consider adoption of Resolution 2000-13-A, Resolution Approving Adoption of California Public Employees Compensation Plan. **Motion by Schulz, seconded by Kamper, to adopt Resolution No 00-13-A.**

**RESOLUTION 2000-13-A
RESOLUTION APPROVING ADOPTION OF CALIFORNIA
PUBLIC EMPLOYEES DEFERRED COMPENSATION PLAN**

WHEREAS, South San Joaquin Irrigation District desires to establish an additional deferred compensation plan for the benefit of its employees; and

WHEREAS, the Board of Administration (the Board) of the California Public Employees' Retirement System (CalPERS) has established the California Public Employees' Deferred Compensation Plan (CalPERS Plan) which may be adopted by a governmental employer the employees of which are public employees; and

WHEREAS, South San Joaquin Irrigation District believes that the CalPERS Plan and the investment options available thereunder will provide valuable benefits to its employees; and

WHEREAS, the Board has appointed State Street Bank and Trust Company (State Street) to perform administrative services under the CalPERS Plan and to act as the board's agent in all matters relating to the administration of the CalPERS Plan;

NOW, THEREFORE, BE IT RESOLVED that South San Joaquin Irrigation District adopts the CalPERS Plan for the benefit of its employees and authorizes and directs the Secretary to execute the adoption agreement on behalf of South San Joaquin Irrigation District, and to provide State Street with such information and cooperation as may be needed on an ongoing basis in the administration of the CalPERS Plan.

PASSED AND ADOPTED this 12th day of September 2000 by the following roll call vote:

Ayes: DeGroot Haworth Kamper Roos Schulz
Noes: None

Approve purchase of computer software licenses. Martin said in order to be in compliance with standard licenses terms and conditions we must purchase software

licenses for the following programs and operating systems: 25 Corel (Word Perfect & Quattro Pro) Licenses; 5 Office (Microsoft Word and Excel); 25 Windows 98, Second Edition operating systems. Martin said failure to have these licenses can result in penalties ranging from a few hundred dollars to over a hundred thousand dollars. The Board asked that staff to get more information, for example, could we purchase new computers for those that may require replacement in the near future and get the licenses for those with the new computer. No action was taken.

Consider cabinet estimates for the copy room. Martin said we received two proposals: Cramer's Installations Unlimited at \$3,100; and Len Ferreira Woodwork's, \$3,872.33. **Motion by Schulz, seconded by Kamper, to authorize purchase of new cabinets for the copy room from Cramer's Installations Unlimited at price of \$3,100. Passed and adopted, 3 Ayes, 2 Noes, with Directors DeGroot and Haworth voting No.**

Manager's reports:

Martin said that under recent legislation LAFCO will have two Board members from special districts in the county. However, this legislation requires that Special Districts pay 1/3 the cost to operate LAFCO.

Martin reported that the South County Surface Water Supply Project Operating Committed had authorized a call for funds from the four cities of \$1,885,000. The contracts with Black & Veatch and Grant Kreinberg will be amended adding \$1,700,000 and \$185,000 respectively. Martin said this will be on the District's Board Meeting Agenda for September 22, 2000.

The following Structure Abandonments and Encroachment Agreements were read into the record:

Structure Abandonments:

Henry Cardoza, APN 218-040-05, to abandon Drain 3aa installation.

Daniel Cunial APN 218-040-08, to abandon Drain 3aa installation.

Encroachment Agreements:

Manteca Unified School District, APN 216-120-01, to encroach on Lateral Rf easement with a six foot fence.

Mike & Dyan Kari-Marsh, APN 202-380-08, to encroach on Lateral T easement with a swimming pool.

Brian & Laura Conway, APN 217-610-05, to encroach on Lateral T-Tb, connection with a swimming pool.

Stein reported that Frank Avila is asking to have Northern Digital, Inc., Bakersfield, conduct a system analysis of our existing SCADA Systems and to develop a Preliminary Design and Scope of Work for up-grading the system HMI Software to Wonderware Intouch, cost \$1,500. The Board asked have looked for a consultant closed to the District. Stein said he felt we have, but will check with Mr. Avila.

Stein reported that APN doesn't have final quotes on our Liability and Property Insurance which expires September 30, 2000. However, APN should have final quotes by September 22nd.

President Roos called for closed session relative to litigation matters, personnel matters, and labor update as follows: Attorney Emrick said we will be discussing items a) through d) in closed session.

- q) Conference with legal counsel, anticipated litigation, Institution of Litigation, Gov. Code, S. 54956.9, three cases.
- r) Conference with Legal counsel, existing litigation, Gov. Code, S. 54956.9 (a).
 - 1. Stanislaus County & Sierra Club et. a. vs. SSJID.
 - 2. Van Vliet Dairy vs. SSJID
 - 3. Kelly vs. SSJID
 - 4. Dennis Jones vs. SSJID
- s) Conference with legal counsel, anticipated litigation, significant exposure to litigation, Van Vliet Dairy vs. SSJID, Gov. Code, S. 54956.9 (b).
- t) Conference with Labor Negotiator, Richard Martin & IBEW, Gov. Code, S. 54957.8.

Upon returning from closed session Attorney 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 DeGroot, seconded by Haworth, and unanimously carried, to adjourn to September 22, 2000 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

C:\FILES\MANAGEME\STEIN\MINUTES\091200.wpd