

Manteca, California  
September 27, 2011

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: KAMPER KUIL HOLBROOK HOLMES ROOS

Also present were General Manager Shields and District Counsel Emrick.

President Holbrook called the meeting to order and led the salute to the flag.

Holbrook asked for public comment. There being no public comment the Board was asked to consider the following Consent Calendar Items.

#### CONSENT CALENDAR

- A. Warrants of \$910,917.23
- B. Regular Board Meeting Minutes of September 13, 2011.
- C. Approve Consent to Entry of Property to Read and Owner's Agreement to Maintain Meter Agreement for APN 226-030-19, Marvin Brocchini, Mabel Brocchini, Janet Thornton and Lori Mackey.

President Holbrook pointed out that on page 7 of the September 13 minutes, it incorrectly stated that the East Bay MUD's annual meeting had already taken place. The minutes should read as follows, "East Bay MUD's annual meeting will be held on October 7."

Motion by Roos, seconded by Kuil to approve the Consent Calendar with the above mentioned corrections to the September 13 Board Minutes.

PASSED AND ADOPTED on this 27th day of September, 2011 by the following roll call vote:

Ayes: Kamper Kuil Holbrook Holmes Roos  
Noes: None

#### ACTION CALENDAR

President Holbrook announced that the Division 9 Project Update would take place later in the meeting.

Item #2, Dave Ward, Interwest Insurance Services addressed the Board. Mr. Ward has been the District's Property and Liability Insurance broker for many years. He handed out two different proposals. Option 1 was from RSDI through Glatfelter which has been

the District's carrier for several years. Option 2 comes from SDRMA, which is a Special District Pool. Mr. Ward explained to the Board the differences between the two options. He also told the Board, that due to the fact that the District's workers compensation coverage is through SDRMA, if we went with SDRMA we would get a multiple policy discount. Steve Emrick told the Board that he had not had enough time to look closely at the SDRMA policy. Shields explained that a decision concerning this issue needed to be made before October 1. Shields asked the Board to consider conditionally choosing SDRMA, dependent on Emrick having a chance to compare the two policies and finding them comparable. Roos made a motion to approve Option II: SDRMA, Special District's Property and Liability Program at a cost of \$265,212.50 on the condition that the General Counsel find the policy acceptable. Kuil seconded the motion, which passed unanimously. Emrick told the Board they needed to adopt a resolution authorizing participation in the SDRMA's property and liability program. Director Roos made a motion to adopt Resolution 11-13-I. The motion was seconded by Director Kuil and passed by the following roll call: Kamper, Kuil, Holbrook, Holmes, Roos.

### **RESOLUTION NO. 11-13-I**

#### **A RESOLUTION OF THE BOARD OF DIRECTORS OF SOUTH SAN JOAQUIN IRRIGATION DISTRICT AUTHORIZING PARTICIPATION IN THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY'S PROPERTY AND LIABILITY PROGRAM**

**WHEREAS**, South San Joaquin Irrigation District, an irrigation district duly organized and existing under and by virtue of the laws of the State of California (the "Agency"), has determined that it is in the best interest and to the advantage of the Agency to participate for at least three full years in the property and liability program offered by the Special District Risk Management Authority (the "Authority"); and

**WHEREAS**, California Government Code Section 6500 *et seq.*, provides that two or more public agencies may by agreement jointly exercise any power common to the contracting parties; and

**WHEREAS**, Special District Risk Management Authority was formed in 1986 in accordance with the provisions of California Government Code 6500 *et seq.*, for the purpose of providing its members with risk financing and risk management programs; and

**WHEREAS**, California Government Code Section 990.4 provides that a local public entity may self-insure, purchase insurance through an authorized carrier, or purchase insurance through a surplus lines broker, or any combination of these; and

**WHEREAS**, Agency, which adopted Resolution 05-06-I to become a member of the Authority, is required to execute and enter into a Sixth Amended Joint Powers Agreement (the "Amended JPA Agreement") in order to qualify for Authority's Property and Liability Program; and

**WHEREAS**, all acts, conditions and things required by the laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions authorized hereby do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Agency is now duly authorized and empowered, pursuant to each and every requirement of law, to consummate such transactions for the purpose, in the manner and upon the terms herein provided.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AGENCY AS FOLLOWS:**

Section 1. Findings. The Agency Board of Directors hereby specifically finds and determines that the actions authorized hereby relate to the public affairs of the Agency.

Section 2. Sixth Amended JPA Agreement. The Amended JPA Agreement proposed to be executed and entered into by and between the Agency and members of the Special District Risk Management Authority, in the form presented at this meeting and on file with the Agency Secretary, is hereby approved. The Agency Board and/or Authorized Officers named below (“The Authorized Officers”) are hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver to the Authority the Amended JPA Agreement in substantially said form, with such changes therein as such officers may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. Program Participation. The Agency Board of Directors approves participating for three full program years in Special District Risk Management Authority Property and Liability Program.

Section 4. Other Actions. The Authorized Officers of the Agency are each hereby authorized and directed to execute and deliver any and all documents which is necessary in order to consummate the transactions authorized hereby and all such actions heretofore taken by such officers are hereby ratified, confirmed and approved.

Section 5. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 27th day of September, 2011.

Item #1, Division 9 Update. Jeff Shaw, Field Manager addressed the Board. He reported the following:

- Backfill issues have been resolved and are now meeting contract requirements.
- New backfill method is benefiting the farmers, the land being affected by construction is being brought back to its original condition in a shorter time.
- More clay product was needed to complete the pond. Taking longer to get the clay moved because of problems getting available trucks.
- Division 9 lateral lines B & G are substantially complete.

Holbrook thanked Jeff for his report.

Item #3, Discussion and possible action to set date for the end of water season. Joe Catanzarite, Water Supervisor was in attendance. Jeff Shields reminded the Board that the District normally quits taking water into Woodward after September 30 of each year. Shields told the Board that the Bureau has asked the District's help in moving water through our system and into the Stanislaus River below Vernalis. The Bureau would like to keep moving the water through our system until November. Joe Catanzarite said that it can be done but the challenge will be getting Woodward back down to 205 by November 1. Shields told the Board that all the water going into Woodward after September 30 will be the Bureau's water. Taking all this into consideration, Shields asked the Board's pleasure concerning the date for the end of water season. After a brief discussion, Kuil made a motion to make the last day of water season, October 28. The motion was seconded by Holmes and unanimously approved.

Item #4, Approve and accept Rubicon Systems quote for parts and labor to refurbish two used Rubicon gates purchased from Yolo County Flood Control and Water Conservation District earlier this summer. Frank Avila explained that some repair work needs to be done on the gates to put them in good working order and ready for installation. Rubicon Systems Incorporated has provided a quote to perform the refurbishing work at a total cost of \$11,460.00. Joe Catanzarite told the Board that the gates will be installed by District personnel on the V-ditch at Stations 160 and 195. After a brief discussion it was moved by Kamper, seconded by Roos to approve the expenditure of \$11,460.00 to have Rubicon System refurbish two Rubicon gates. The motion passed unanimously.

Holbrook asked for Directors Reports:

Director Roos reported the following:

- The District is eligible for discounts from Grainger because we are members of the Farm Bureau
- Concerning the Division 9 Project. Commented that relations with the farmers seems to have gotten better and that we can apply what we have learned from this project to similar projects in the future.

Director Holmes wanted to remind staff that the District Encroachment Policy review needs to be addressed.

Director Kamper commented that he would like to see the Water Department put more emphasis on keeping track of sprinkler water that is delivered to landowners.

General Manager Jeff Shields reported the following:

- The cell microwave towers are all in place, finalizing connections are underway
- Handed out the District 7 Day Water Usage Report for the week of Sept. 11 – Sept 17 and the TriDam Operation Daily Report of Sept. 26.
- Handed out a copy of Judge Wanger's decision to invalidate the June 2009 Biological Opinion for salmon and steelhead.
- Handed out a copy of letter dated September 23, 2011, sent to US Bureau of Reclamation by OID, SEWD and SSJID.
- Passed around an Award of Excellence from AC Delco given to District Shop Staff for completing a series of training courses.

- Attended Northern California Power Authority Conference last week with Don Battles
- Department of Interior Grant Contract have been full executed and the check is “in the mail”.
- Sent letters to Governor Brown asking him to Veto AB646 and SB 293.

Water Treatment Plant Manager, Bill Hubkey reported the following:

- Divers will begin inspecting and cleaning the north reservoir on Thursday.
- Repairs by CB&I will begin on the south reservoir’s interior coating. All work is covered under warranty.
- GE-Zenon has communicated to Plant Staff that the new modules could arrive by late November.
- The new screw compressor has arrived and Plant Staff will begin installing next week.

Director Holbrook called for a short break before Closed Session.

General Counsel announced the Board would be discussing Items 6 a & b under Closed Session.

- a. CONFERENCE WITH LEGAL COUNSEL-Anticipated Litigation  
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9-  
2 cases
  
- b. CONFERENCE WITH LEGAL COUNSEL- Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 -  
2 cases and,  
Various water quality proceedings before State Water Resources Control Board—  
Delta Flow Criteria, San Joaquin River Flow Objectives

Upon returning from Closed Session, it was reported that there was no reportable action taken.

There being no further business to come before the Board it was moved by Director Kamper, seconded by Director Holmes to adjourn to the next regularly scheduled meeting to be held Tuesday, October 11, 2011. Motion carried unanimously.

ATTEST: \_\_\_\_\_  
Cheryl Burke, Executive Secretary