

Manteca, California
October 12, 2004

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 KAMPER SCHULZ ROOS KUIL

Also present were Secretary/Manager Stroud, District Counsel Emrick, District Engineering Department Supervisor Bologna, and Utility Systems Director Shields.

President Schulz asked for public comment. There being none he asked the Board to consider approving the Consent Calendar items as presented:

CONSENT CALENDAR

- A. Approve SSJID warrants of \$2,794,204.07.
- B. Approve Regular Adjourned Board Meeting Minutes of September 28, 2004

Motion by Schulz, seconded by Kuil, to approve the consent calendar items as presented.

PASSED AND ADOPTED this 12th day of October 2004 by the following roll call vote:

Ayes:	DeGroot	Kamper	Schulz	Roos	Kuil
Noes:	None				

Director Schulz introduced Niles Fleege of Fleege and Associates and announced that the Board would address Item #5, "Review and approve Water Treatment Plant staffing: recruitment, job descriptions and salary ranges." Mr. Fleege presented his findings in regards to Water Treatment Plant staffing needs. He told the Board that initially the WTP would need 13 people. Staff would include a manager, 4 shift operators, 1 vacation relief operator, 2 operators in training, 3 maintenance positions, a laboratory tech and a clerical position. He also told the Board that these positions would need to be filled by early next year to be ready for the WTP startup training set to begin in the second half of January. After discussion the Board took the following action. Motion by Roos, second by DeGroot, to approve staffing recommendations, salary ranges, draft job specifications and authorize recruitment. Motion carried unanimously.

Adopt Resolution 04-13-T, Supporting State Proposition 1A.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 04-13-T
SUPPORTING PROPOSTION 1A**

WHEREAS, state government currently seizes more than \$5.2 billion annually in local property tax funds statewide from cities, counties and special districts, costing local governments more than \$40 billion in lost revenues over the past 12 years; and

WHEREAS, these ongoing shifts and raids by the state of local property tax funds and other funding dedicated to local governments have seriously reduced resources available for local fire and paramedic response, law enforcement, public health and emergency medical care, roads, parks, libraries, transportation and other essential local services; and

WHEREAS, these funding raids also add pressure for local governments to increase fees and taxes to maintain basic local service levels; and

WHEREAS, this drain of local resources has continued even during periods when the state's budget has been overflowing with surpluses; and

WHEREAS, Proposition 1A is a historic measure that will appear on the November 2004 statewide ballot that would limit the States ability to take and use local government funding; and

WHEREAS, by protecting local government funding, Prop 1A would protect local public safety, healthcare and other essential local services; and

WHEREAS, Prop 1A will not raise taxes and, in fact, will help reduce pressure for local fee and tax increases by limiting state raids of local government funding; and

WHEREAS, Prop 1A does not reduce funding for schools or any other state run program or service, and Prop 1A was carefully written to allow flexibility in the event of a state budget emergency; and

WHEREAS, Prop 1A is supported by a bipartisan, diverse coalition including Governor Schwarzenegger, Democrat and Republican legislative leaders, local government officials, public safety representatives, healthcare, business, labor and community leaders;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South San Joaquin Irrigation District that we hereby express strong support for Proposition 1A, the statewide ballot initiative that will prevent the State of California from further taking local government revenues; and

RESOLVED FURTHER, that we will send a copy of this resolution to Yes on 1A - Californians to Protect Local Taxpayers and Public Safety. Fax: 916-442-3510 or 1121 L Street, #803, Sacramento, CA 95814

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 12th day of October, 2004, on the motion of Kuil, seconded by DeGroot on the following roll call vote:

Ayes: DeGroot Kamper Schulz Roos Kuil

Noes: None

Request by the Ripon Unified School District to have the status of parcel APN#261-030-08, changed to exempt from groundwater recharge charges (S.A.A. #1308) because it is now the site of Park View School. Motion by Kamper, seconded by DeGroot and unanimously carried to approve the change of Service Abandonment Agreement #1308 to exempt from charges.

Approve contract with Beck Enterprises to complete Long Tunnel Stabilization. The General Manager explained to the Board that the work proposed includes completing the repairs started last Spring and repair work on eight other locations within the Long Tunnel on the Joint Supply Canal. Motion by Kamper, seconded by DeGroot and unanimously carried to approve contract with Beck Enterprises, at a cost not to exceed \$290,000.

A decision concerning the District's fuel purchasing options was tabled following a brief discussion.

District's General Counsel, Steve Emrick addressed the Board regarding the District's former outside general counsel, the law firm of Bray, Geiger, Rudquist & Nuss which has been dissolved. Mr. Emrick recommended to the Board that the cases that were being handled by the previous firm be transferred to the newly formed law firm of Geiger, Coon and Keen. Emrick also asked the Board to give him authorization to file cases in the District's name when necessary, without prior Board authorization, subject to reporting back at the next scheduled Board meeting. Motion by DeGroot, seconded by Kuil and unanimously carried to change the District's outside counsel to Geiger, Coon and Keen and authorize Emrick to file cases in the District's name.

Manager's Report:

The District's Standards are being reviewed as they apply to facility access.

Regular Tri-Dam Meeting will be held on Thursday, October 21 at OID.

Water usage update is 245,000 AF which is a 7% increase over last year.

All crushed concrete material in the Yard has been applied to the worst areas along the Main Distribution Canal. Material to fix problem areas along the Main Supply Canal and Frankenheimer Fill is being hauled from the Ripon Spill stockpile.

Out of 14 applicants for the WTP Manager position, 8 applicants look promising. Interviews will be held about the first week of November. Director Kuil volunteered to sit in on all the interviews as a Board representative. The whole Board will be present for final interviews, when the applicants have been narrowed down to 3.

There is 300 feet of Drain 11 that will be repaired soon.

The district, working with other San Joaquin Tributary Association members is scheduled to submit supplemental information for the Ag Waiver in early November.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update as follows: General Counsel Emrick said the Board will discuss items a, b, and c in closed session.

- a) Conference with Legal Counsel, existing litigation, Gov Code, S. 54956.9.
Two Cases:
CPUC Docket No. R04-04-003
SSJID v. Keith Haines
- b) Conference with legal counsel, re anticipated litigation, initiation of litigation. Gov. Code, S. 54956.9 Three Cases.
- c) Conference with legal counsel, anticipated litigation, significant exposure to litigation. Gov. Code, S. 54956.9. Six Cases.

Upon returning from closed session General Counsel Emrick announced the following: The District's Board approved the claims of David Celli Farms in the amount of \$6,998.00, Rain for Rent for the Fornero Property in the amount of \$4721.43, Triple H Farming in the amount of \$1,958.60 and the Van Groningen & Sons claim in the amount of \$1,500.00.

The Board then returned to Agenda Item 7. Utility Systems Director Shields recommended that the District authorize the execution of an agreement to reimburse PG&E for installing temporary power facilities to the Water Treatment Plant on Dodds Road. In exchange, PG&E will enter into an agreement with Overaa, the District's contractor, to deliver temporary power. PG&E will agree that the delivery of temporary power does not change the water treatment plant to "existing PG&E load" for purpose of exit fees. We are still discussing permanent power terms with Modesto Irrigation District. Motion by Kamper, seconded by DeGroot and approved unanimously to authorize General Manager to sign an agreement to reimburse PG&E for costs in the amount of \$147,714 for installation of facilities to supply temporary power to the treatment plant.

There being no further business to come before the Board it was moved by Schulz, seconded by Roos and unanimously carried, to adjourn to October 26, 2004 at 9:00 a.m.

ATTEST:

Cheryl Burke, Executive Secretary