

Manteca, California
October 14, 2003

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 SCHULZ ROOS KUIL

 ABSENT: DEGROOT

Also present were Secretary/Manager Stroud, District Counsel Emrick, and District Engineer Gilton.

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

CONSENT CALENDAR

- A. Approval of SSJID Warrants of \$3,354,892.57, (\$2,530,037.88 for the South County Surface Supply Project) and Payrolls of \$156,042.45.
- B. Approval of Regular Adjourned Board Meeting Minutes of September 23, 2003.
- C. Accept work by Central Valley Septic and authorize filing of the Notice of Completion for repairs and removal of private valves on Lateral "C".
- D. Approve Interim Drainage Agreement with the City of Manteca to temporarily discharge into the FCOC.
- E. Approve Interim Drainage Agreement with the City of Manteca to cover the North Main Street Storage Project.

Motion by Kuil, seconded by Kamper, to approve the Consent Calendar Items as presented.

PASSED AND ADOPTED this 14th day of October, 2003, by the following roll call vote:

Ayes: Kamper Schulz Roos Kuil
Noes: None
Absent: DeGroot

Consider awarding bid for Lateral "Q" lining replacement project to Johnson Western Company and authorize the General Manager to execute the appropriate documents. Gilton reported that Johnson Western was the only bidder. They bid \$718,260. (construction \$598,550, contingency \$59,855, and engineering \$59,855). Director Roos questioned why only one bidder? Gilton said we have no way of controlling the number of bidders. Since the work cannot be done during the water season, we usually can't delay bidding to a more favorable bid climate. He said we sent out bid invitations to all contractors that bid on our work, but we only received the one bid. He stated there are only four companies who do this kind of work, 2 in the Bay Area, 1 in Oakdale, and 1 in Tracy. They all received the bid package, but only one submitted a bid. Motion by Kamper, seconded by Kuil, to award the project to Johnson Western Company at the price noted above. Motion Carried, 3 Ayes, 1 Absent, and 1 No, with Director Roos voting No.

Consider awarding bid for Lateral "H" pipeline replacement project to DSS and authorize the General Manager to execute appropriate documents. Gilton said we received eight bids on this project. They ranged from a high of \$697,647 to a low of \$477,926. DSS was the low bidder. Motion by Roos, seconded by Kamper, and unanimously carried, to

award the project to DSS at a bid of \$477,926, (plus a contingency of \$47,793 and engineering of \$47,793), for a total of \$573,512.

Consider Termination Agreements for the following Irrigation Service Abandonment Agreements:

Agreement Number	Property Owner	APN
1063	Phippen Brothers	245-040-07
925	Phippen Brothers	245-040-14
1084	Travaille & Phippen	245-040-08

Motion by Kamper, seconded by Kuil, and unanimously carried, subject to recommendations of Engineering, Maintenance, and Water Departments.

Consider approving agreement with Panagraph, Inc. Stroud said Panagraph will represent us relative to Retail Power. Jack Stermer, consultant for the District, feels representation from a public relations firm is essential and recommends hiring Panagraph. Stroud said the contract states the cost will not exceed \$16,200. When asked about the length of the agreement, Stroud said the recommended funding is expected to last about six months to a year. Motion by Kuil, seconded by Kamper, and unanimously carried, to approve the agreement with Panagraph and authorize the General Manager to execute the appropriate documents.

Authorize the General Manager to retain electrical consultants. Stroud said we need to supply technical information to Russell and Associates, the firm doing the EIR assessment, and to review the economic analysis prepared by Chevron. He said the work would be on an "as needed" basis, not to exceed \$30,000. Motion by Kamper, seconded by Kuil, to authorize the General Manager to retain electrical consultants as requested, not to exceed \$30,000. Motion Carried, Ayes 3, Absent 1, and Noes 1, with Director Schulz voting No.

Consider approving job description and salary proposal for Water Treatment Plant Manager recruitment. Kris Kristensen, Shannon Associates told the Board he had done a salary and benefits survey and felt that a salary of \$85,000 would be needed to retain qualified candidates. He asked for authority to go to \$90,000 if necessary. It was the consensus of the Board to approve the job description and to set a salary at \$90,000 maximum. No action was taken.

Discussion of the Ag Waiver process. Stroud said the regulations apply under the following:

1. If the land is irrigated with either ground or surface water.
2. If there is or could be runoff to subsurface waterways subsurface drainage to subsurface waterways.
3. If agricultural commodities are grown for sale.

Stroud said there are no minimum parcel size exemptions. He said the alternatives for complying with the Ag waiver are: Do it individually, join the coalition, or do nothing. No action was taken.

Managers' reports:

Stroud reported the following:

In replying to Director Roos' question as to why a landowner was still charged for water if he didn't use District water. Stroud said if they want to avoid the fee, they must sign an Irrigation Service Abandonment Agreement.

Fall ACWA Conference scheduled for December 2 - 5, 2003 in San Diego. Director Kamper and Assistant Manager Stein said they will not be attending.

A detailed discussion concerning the District's winter work program will be held at the October 28th Board Meeting.

The City of Ripon applied for a Structure Permit to connect a new recharge facility to the District's distribution system. . As a result we found we were not billing them per the Agreement with the City. Robin billed them \$16,000. Additionally, he explained to them the terms for them to receive water for recharge. He said the City is now looking at putting in a line from our Main Canal so they can have access to a continuous supply during the water season. An Operations Agreement will be developed to address operational issues, as called for in the Water Supply Agreement, for consideration by the Board.

Reported that last year the River Group Authority applied for a Grant with Cal-Fed for funds to monitor. He said the application is still pending. If it materializes in time, it could help the District meet some of the revised 'ag waiver' water quality monitoring requirements.

Reported Connie Van Vliet reported a leak on the "Bdd". We examined the line and found three circle cracks, a small hole, and repaired them. Also, we found an improperly installed private valve that leaked, which we reported to her must have a permit for the valve from the District and must be repaired.

Relative to the South County Water Supply Project, that construction is underway. That the relocation of private residences from the Tracy Booster Plant site is complete. Also, Lathrop wants to modify their facilities esthetically. They have agreed to pay all additional cost for the modification which will be submitted on a change order.

Relative to water transfers and sales. Stroud has made several calls to Reed Roberts of Central and left messages, concerning the request for additional water. Mr. Roberts has not returned his calls.

Reported there is a Tributary Group meeting tomorrow to review ag waiver applications to assure thoroughness and consistency in meeting the November 1, 2003 deadline for the Notice of Intent to Discharge.

The 2003 irrigation season ends Thursday, October 16th.

Reported TID will have the power plant up and running by November.

Reported that OID and growers supplied by OID have drained 24,520 acre feet into our canals this year, which we managed to use rather than diverting our own.

Approved the following Encroachment Agreements:

Hermelinda Torres, APN 202-380-15, to encroach upon Lateral "T" easement with a swimming pool.

Christopher Revives, APN 200-280-44, to encroach upon Lateral "Tbd" easement with landscaping and a Jacuzzi.

Mark and Mary Sward, APN 227-420-01 to encroach upon the District's Campbell Drain easement with a swimming pool.

Thomas and Donna Osborn, APN 257-390-04, to encroach upon Lateral "U" easement with a patio.

River Group Authority meeting to adopt the budget for 2004 will be held on October 31.

Directors' reports:

Director Roos asked if we could extend the irrigation season a few days. After discussion, it was the consensus of the Board to end the season, as previously determined by the Board, on October 16th.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update. General Counsel Emrick said the Board will discuss items A, 2, 3, and 7, and B.

- A. Conference with legal counsel, existing litigation, Gov. Code, S. 54956.8.
 - 2. SSJID v. Laro Coal and Iron-California Co., Inc.
 - 3. Sierra Club et.al., v. SSJID
 - 7. SSJID v. Ronald Leachman

- B. Conference with legal counsel, anticipated litigation, significant exposure to litigation. Gov. Code, S. 54956.9. One case.

Upon returning from closed session, General Counsel Emrick reported there was no reportable action taken in closed session.

There being no further business to come before the Board it was moved by Roos, seconded by Schulz, to adjourn to October 28, 2003 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary