

Manteca, California  
October 23, 2007

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      KUIL

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

President Kuil called the meeting to order and ask the Board to consider approving the Consent Calendar items as presented.

#### CONSENT CALENDAR

- A. Approve SSJID warrants of \$482,645.12.
- B. Approve Board Meeting Minutes of October 9, 2007.
- C. Approve Notice of Completion and Acceptance for a portion of the Cornerstone II on North Ripon Road in Ripon, involving replacement of a portion of Lateral "Ta".
- D. Award a bid for Lateral "E" Pipeline Replacement Project SSJ-2007-3 to C & D Contractors, Inc. for \$173,793 + contingency of \$8,689.65.

Motion by Director Roos, seconded by Director Holbrook, and unanimously carried to approve the Consent Calendar Items as presented.

PASSED AND ADOPTED this 23<sup>rd</sup> day of October 2007 by the following roll call vote:

Ayes:	Holbrook	Kamper	Kuil	Schulz	Roos
Noes:	None				

Consider approving a one year extension on the contract with the District's auditor, Maze & Associates. Stroud said to change now with the capitalization of the water treatment plant assets, and complying with two new GASB regulations, would be cumbersome and expensive. He indicated we looked at other agencies and found that most went five years before changing auditors; the District has a three year contract with Maze & Associates. Stroud recommended approving the extension at cost not to exceed \$17,710. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried to extend the contract with Maze and Associates to perform the 2007 audit as recommended.

Consider approving the remodeling of the front office. Shields said we have discussed this option as well as buying land and building new facilities. The latter option would take around three years from the date we purchased the land to completion of a new facility. We need space now, and along with the additional space, remodeling will bring this facility up to current codes, making it easier to sell when and if we do move. Bologna handed out a drawing showing the proposed addition and upgrades to the current office space. He said CT Brayton & Sons, Escalon, will do the job for cost plus 10% with a not to exceed \$390,000. Brayton will also provide all subcontractor bid information to the District. Both Shields and Bologna recommend the Board approve retaining Brayton to perform the work and authorize staff to sign a contract with them. Director Holbrook said he did not like the fact that the restrooms would be reduced from two stalls to one, particularly the women's restroom. Architect Tom Brandvold, who drew the plans said he could change that to accommodate the Boards wishes, but it could possibly add to the cost. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried, to approve contracting with CT Brayton & Sons, Inc, at cost plus 10% with a cost not to exceed \$390,000. Additionally, proceed with the preliminary design plans submitted by Architect, Tom Brandvold, with the addition of another stall in the women's restroom.

Consider conditional approval of plans to modify the recently approved Promenade at Orchard Valley Project to allow for the extension of Lateral “Ya” to the “X” - “Ya” connection line located on the west side of Union Road, Manteca. Bologna said an agreement has been reached between Promenade and the adjacent developer to extend the line at Promenade’s expense. Bologna recommends conditional approval and authorization to execute the Improvement Plans, Modified Developer’s Agreement, Encroachment Agreement, Grant of Easements, and Quit-Claims, subject to compliance with those special conditions and requirements referenced in the addendum to the Developer’s Agreement as follows:

1. Developer shall submit improvement plans to the SSJID Engineering Department for approval and comply with all standard requirements concerning improvements to District facilities. Further, developer shall be responsible for all costs associated with the new pipeline installation.
2. Developer shall secure new easements of adequate widths acceptable to District and obtain an Encroachment Agreement with the District for all proposed encroachments. Developer shall secure easements and encroachment agreements from underlying landowner on behalf of the District using our standard grant of agreement forms. The easement shall be exclusive and shall have priority over any other dedications. Temporary construction easements shall be obtained by developer as necessary to accommodate the construction of new facilities.
3. Developer shall ensure that work involving District facilities shall be in accordance with District requirements and shall provide all supplemental plans and secure all required permits necessary to complete the project. Bonds shall be supplied as required to assure that the district is made whole and that the project will be constructed per approved plans without delay to water deliveries.
4. Developer shall notify District at least 48 hours prior to commencement of work. Work shall be complete and pipeline operational prior to deadlines established by District. The work must commence such that it can be completed by the next February 15<sup>th</sup>. A daily damage charge applies thereafter until the work is accepted.
5. Developer shall comply with all other terms and conditions specified in the Developers Agreement dated October 12, 2007 and any special conditions approved by the Board at the October 23, 2007 Board meeting.

Motion by Director Kamper, seconded by Director Roos, and unanimously carried, to approve the modifications to the recently approved Promenade at Orchard Valley Project as recommended above.

Authorize signature of agreements necessary to facilitate the relocation of an access easement for Drain 8 and approval of site plan improvements for the Costco Development Project located west of Airport Way north of Highway 120. Bologna said the relocation should not be any problem as long as we are provided with physical access to Drain 8. The requirement in the plans ensures that we will have physical access. Bologna recommended acceptance of new easement from Manteca Redevelopment Agency in exchange for quit-claim of easements that are no longer necessary to the District. Also, authorize execution of necessary documents. Motion by Director Holbrook, seconded by Director Kamper, and unanimously carried to approve as recommended.

Authorize acceptance of an easement from the City of Ripon for access and embankment adjacent to Lateral “V”. Additionally, authorize quit-claim of easement for abandoned DD facilities off Lateral “V” relative to the Horizon Business Park and Ripon Frontage Road Project subject to the signature of a Letter of Agreement with the City of Ripon relative to that portion of Lateral “V” affected by the City of Ripon’s Frontage Road Project. Motion by Director Kamper, seconded by Director Roos, and unanimously carried to accept easements from the City of Ripon and to authorize quit-claim of easement interests of the District subject to signature of the letter agreement by the City of Ripon.

Consider purchase of additional security equipment for drops 4, 6, and 8 on the Main Distribution Canal. Staff wants to put additional security on remote sites that currently need more protection. Total cost is \$39,180.75. This equipment is compatible with the District's Wonderware SCADA software, and is thus a bit more expensive. Cost of cameras is not included in the \$39,180.75, they are \$700 each. Motion by Director Schulz, seconded by Director Holbrook, and unanimously carried to approve the system at \$39,180.75 plus cameras at \$700 each.

President Kuil called for closed session relative to the following:

Conference with labor negotiator, agency negotiators, Lee Clark & Jeff Shields.  
Employee Organization: I.B.E.W., Local 1245.

Upon retuning from closed session President Kuil announced no reportable action was taken in closed session. President Kuil then called for Manager's reports:

Stroud reported:

The River Group Meeting is at TID at 9:00 a.m. Friday, October 26, 2007.

Elevation at Woodward Reservoir on October 16<sup>th</sup>, the day we ended water season was 204.9.

OID spilled on us approximately 29,000 acre feet of water in 2007.

The Operating Committee for the Water Treatment Plant is scheduled to meet on October 29<sup>th</sup>. Some key items to be discussed are the funding for the Process Optimization Projects, the funding shortfall in the SCSWP Construction Project account, and the Zenon proposal.

Shields reported:

The Ozone Contract to Piper was approved by the Board at \$6,680 plus \$3,000 security check. However, their invoice was for \$12,275. Hubkey told Shields the difference was for delivery of the equipment to the plant and mobilization, which he had intended to do. However, he did not have the equipment to transport the equipment, and to rent it would have cost more than Piper is charging. Thus we are going to pay the \$12,275 unless the Board has a problem since the work must be performed. The total cost for the project will not increase.

Handed out rate sheets for PG&E in January 2007 showing increases and decreases.

Reported the fish count in the Stanislaus last week was 60, continuing a 3-year downward trend. The same trend is evident on the other Northern California Rivers; it is not unique to the Stanislaus River.

Tuolumne County Water District is looking at water rights on the Stanislaus River along with other entities in the foothills. Tri-Dam General Manager Steve Felte is monitoring the meetings for OID and SSJID.

Schulz asked about three accounts that are considerably over budget: 56,220, 60,630 and 70-510. Stein said he would look into it and report back. Kuil asked about Accrued Payroll Vacation balance of about \$1,300,000. Stein said that is mostly vacation and manager's sick leave, the remainder is money earned in September, paid in October. He would get an accurate answer by the next meeting.

President Kuil called for closed session. General Counsel Emrick said the Board will discuss the following items:

Conference with legal counsel, existing litigation, Gov. Code, S. 54956.9 (a). SSJID v. LAFCo, Superior Court, San Joaquin County, Case No. CV 030255.

Conference with real property negotiator. Negotiating Parties: District and Property Owner- Del Prieto. Property; Stanislaus County APN 001-063. Agency negotiator Jeff Shields. Under negotiation: Price and terms of payment.

Conference with real property negotiator. Negotiating Parties: District and Cities of Escalon, Manteca, Lathrop, and Tracy. Property; portion of Stanislaus county APN 002-001-053. Agency negotiator; Jeff Shields. Under negotiation: Price to be paid to cities for portion of property used by solar project.

Upon returning from closed session the following action was announced:

Motion by Director Holbrook, seconded by Director Schulz, to accept offer to sell her property to the District for \$375,000. The property is located in Stanislaus County and is APN 002-001-063. Motion Carried: Ayes: Holbrook; Kuil; Schulz. Noes: Kamper; Roos.

General Counsel Emrick announced no other reportable action was taken in closed session.

There being no further business to come before the Board it was moved by Director Schulz, seconded by Director Roos, and unanimously carried, to adjourn to November 13, 2007 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary