

**MINUTES FOR THE OCTOBER 27, 2020  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District met in person in regular session in the District Boardroom at 9:00 a.m., with public access provided via the online Zoom meeting platform. Director Kamper called the meeting to order and led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
ABSENT: NONE

Also present were General Manager, Peter M. Rietkerk; General Counsel, Mia Brown; Engineering Department Manager, Forrest Killingsworth; and SSJID Administrative Secretary, Dawn Driesen.

**Public Comment** – None

**CONSENT CALENDAR**

- A. Approval of Checks in the amount of \$334,982.29; Accounts Payable Wires in the amount of \$441,001.33; and Payroll dated October 23, 2020 in the amount of \$240,255.98.
- B. Approval of the Regular Board Meeting Minutes of October 13, 2020.

Director Kamper asked that Kamper Sonke be changed to Jack Tone Shelling on page 2 in his Communications report.

- C. Approval of the Special Board Meeting Minutes of October 22, 2020.

**MOTION:** A motion was made by Director Weststeyn and seconded by Director Holbrook to approve the Consent Calendar as amended.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**COMMUNICATIONS**

Director Holbrook attended the San Joaquin Advisory Water Commission (AWC) meeting. They discussed the SJAFCA Smith Canal Gate Project and its progress as well as other project updates.

Director Weststeyn also attended the AWC meeting as well as the South San Joaquin Groundwater Sustainability Agency (SSJGSA) meeting. He also attended the tour of the Water Treatment Plant (WTP).

Director Roos had nothing to report.

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Director Holmes thanked Mr. Ed Erisman, WTP Manager, and the WTP staff for the informative tour that was given to the Board.

Director Kamper said he reviewed Ms. Valerie Kincaid's report on groundwater allocation principles.

*In adherence to the District's new Board meeting protocols due to COVID-19, the Managers' Reports were provided in written form to the Board on October 26, 2020, as submitted below:*

**Ed Erisman, Water Treatment Plant (WTP) Manager:**

- WTP Mechanical Technicians replaced one of the leaking 24" isolation valves at the City of Tracy, T4 booster station. This will allow WTP staff to remove the pump once the roof access is modified to accommodate the size of the pump.
- Dried sludge was hauled away from bed #3 last week. This bed is now empty and ready for service this winter.
- WTP staff installed a bubbler line to mix the heated water in the new clean-in-place (CIP) tank. This should help achieve a more consistent temperature throughout the tank.
- WTP Instrument Technicians installed a new chemical flowmeter on the T4 booster station ammonia feed system.
- Noel's Electric has found a replacement Programmable Logic Controller (PLC) with solar tracking software that is compatible with our existing hardware at the solar farm. They will be installing the unit and testing within the next two weeks.

**Bere Lindley, Assistant General Manager:**

**CFO Office**

- Mr. Lindley and Ms. Bloom organized and participated in the budget workshop. The budget workshop provides Mr. Rietkerk the opportunity to systematically examine each budgeter's proposals with the budgeter present. They also developed summaries and analysis of requested budgets for use in the budget workshop and later updated these for changes made in the workshop; provided guidance to budgeters on a variety of issues and questions; developed the WTP budget documents for presentation to the cities; and analyzed past capital expenditures for comparison to the requested 2021 capital budget.

**Water Master Plan (WMP)**

- Mr. Lindley prepared a draft memorandum recommending revisions to Jacob's "intermediate screening" of capital asset alternatives for the WMP and continues to work with the internal team on schedule, process, and substance.

**Solar Farm**

- Ms. Bloom completed her analysis of solar farm economics which was made very difficult by a lack of needed data on gross generation and gross consumption under the net metering agreement with Pacific Gas & Electric (PG&E). She was able to get important answers notwithstanding the imprecise data. Ms. Bloom is continuing refinement of accounting for the value of solar farm generation, which will be shared with the accounting group.

**Retail Electric**

- Mr. Lindley is helping plan for a future meeting with attorneys regarding retail electric litigation.

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- One of our litigators, Ms. Peggy O’Laughlin, wrote regarding the court schedule for our appeals, “Naturally COVID has only increased the court’s backlog and the best estimate Ed has at this point is that oral argument for the District’s appeals will likely be, at least, a year from now, the fall/winter of 2021.” Ed is Ed Low with Jarvis, Fey, & Gibson, another firm involved in our appeals.

**Other**

- Mr. Lindley is developing a form to use for time study to reassess allocation of the work hours of certain employees among the business lines of the District. These allocations affect water treatment plant billings, reimbursements from the SSJGSA, etc.
- Mr. Lindley has been working on employee performance evaluations; answering questions about the revision of the purchasing policy; and working on further development of accounting for SSJGSA activity on SSJID’s books.
- Mr. Lindley is closing the Cantella account for the rate stabilization fund. The rate stabilization fund was a feature of the 2012A Revenue Refunding Bonds to allow SSJID to save up excess debt service coverage for use in a tight year. As the bonds were paid off a year ago, this fund is obsolete. The assets of this account will be transferred to our unrestricted investment account at Cantella whence they originally came.
- Mr. Lindley has prepared a detailed final reckoning of amounts owed by members to the SSJGSA Joint Powers Authority (JPA) upon initiation of the JPA’s own bank account.
- Mr. Lindley and Ms. Bloom are working on preparations for board approval of the Proposition 218 notice to Division 9 customers.
- On October 22, the Manteca Bulletin wrote that we “regularly provide the board with enough financial reporting to choke a T. Rex.” This was offered by way of contrast to another organization.

**Human Resources**

- Mr. Don Thornburg, Human Resources Analyst, has been preparing for the medical insurance open enrollment period which is October 26 through November 13 and new employee orientations. He will be attending the Public Employees Labor Relations Association 2-day conference (online) and working to clarify the availability of credit incentive points for Special District Risk Management Authority (SDRMA) insurance under COVID restrictions, as well as performing his regular duties.

**Accounting**

- Staff has been working on the budget as well as performing routine duties.

**Communications / Public Relations**

- Ms. Troylene Sayler, SSJID Public Relations Director, reviewed and approved sponsorship requests; performed the monthly review of PoweredbySSJID and current website; finalized PoweredBySSJID edits to brochure, facilitated printing and distribution; and continues to review school education program and make suggestions for 2021. She received Mr. Rietkerk's review of new website and will continue to refine before launch.
- Ms. Sayler is writing a COVID statement for Customer Service Satisfaction Survey and will send to Marcia Herrmann Design (MHD) to make updates and print. She will be mailing in November to all customers.

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- Ms. Sayler presented the Public Relations Budget for 2021 at the budget workshop.

I/T

- Mr. Michael O’Leary, IT Systems Administrator, worked on the 2021 budget preparation and attended the workshop. He also has been responding to a variety of time consuming “emergencies;” providing computer support and communications for the Virtual Safety Day; and continues to work on his regular duties.

Safety

- Mr. Walt Luihn, SSJID Environmental Compliance and Safety Coordinator, has been visiting jobsites, checking on the crews, and conducting jobsite safety inspections to help prevent accidents; has put together tailgate safety meeting information and emailed to departments; has prepared the weekly update to staff on COVID-19 news and post all new required postings per San Joaquin County order.
- Mr. Luihn conducted new hire training for three new employees who started on October 26, and will conduct new hire training for two employees who will start on November 2.
- Mr. Luihn continues to work on the Virtual Safety Day planning. This year Gordon Graham's Safety Day presentation will be another great topic "The Five Concurrent Themes for Success," which builds on last year's presentation.
- Mr. Luihn is planning a mini Safety Day training each morning next week starting at 7:00 am November 2 - 6 with maintenance department, shop, and control room employees. Mr. Luihn has completed collecting data from our aquatic pesticide applications needed for the National Pollutant Discharge Elimination System (NPDES) annual report and submitted to consultant; continues to work on the annual report to Federal Energy Regulation Commission (FERC) for Woodward and Frankenheimer power houses which is due in November each year; and is keeping staff updated on the SSJID Wildfire Smoke Protection Program.

**Frank Avila, Irrigation Operations Manager:**

Water Department/Maintenance Department

- Woodward elevation is at 203.70.
- SSJID COVID-19 protocols are still in place. A revised policy has been enacted allowing two (2) employees per vehicle with a mandatory face mask requirement.
- The closing of the 2020 irrigation season occurred without incident. Division Managers experienced high flows throughout the day of October 15.
- Division Managers transitioned to work in the Maintenance Department on the week of October 19. Some crew members were assigned to crawling teams, concentrating on the Division 5 area to ensure all lines are repaired for the 2021 spring irrigation season, and to avoid schedule conflicts with the City of Manteca when they utilize District facilities to drain during the winter season.
- Crews have begun prep work on the R-ditch for the shotcrete project.
- The Construction team (i.e. Box team) have three (3) projects which they will be working on simultaneously: Valley Home drop, French Camp Outlet Canal (FCOC) gate; and the I-9 float valve.
- Turlock Irrigation District (TID) started work on the Woodward Power Plant on October 19. Mr. Avila met with the TID crew at the Woodward tower and demonstrated the process used to lock

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down the site, and TID added their locks to the system and started the process to pump water out of the bay. TID reported that thieves made a failed attempt to steal a pump when it was left running overnight to keep the bay empty, so TID has stationed a security guard on site throughout the night to prevent future vandalism. In addition to their scheduled work, TID has discovered that the hydraulic ram which opens and closes the by-pass gate is malfunctioning. The part has been removed, sent out for repairs, and is anticipated back for installation on October 27.

- Due to a referral from the Engineering Department, the Maintenance Department has come into possession of “free dirt” located within 10-minutes from the District office. On October 26, staff will begin hauling the dirt and stockpiling it in the District yard for future use.

**Shop Department**

- The Shop Department remains busy maintaining supplies to meet the needs of the Field Maintenance teams, as well as fabrication needs.
- Mr. James Ferguson, SSJID Shop Manager, took possession of two (2) two flat-bed trucks. Staff will perform standard District modifications before the trucks are released to the District fleet. The trucks will be utilized to assist with the winter season needs.
- Mr. Ferguson will be on scheduled vacation leave from October 26 to November 9. Mr. Bill Emslie, SSJID Automotive and Equipment Mechanic, will cover for Mr. Ferguson.

**MDC/Telemetry Department**

- Mr. Lloyd Wayman, SSJID Telemetry Systems MDC Supervisor, and his team are busy with planning and preparation of their winter projects.
- Some Control Room staff will coordinate with the Construction team on the installation of cement paths, canal cross sections for meters, and the trash grade on the R-ditch. The other half of the Control Room team will be busy with new Field Telemetry Unit (FTU) installations, and the maintenance of the existing automation equipment.

**Forrest Killingsworth, Engineering Department Manager:**

**Year-to-Date Permit Summary**

- Structure Permits:
  - Total Received – 33; Approved – 23; Pending – 10; Sumps – 23
- Encroachment Permits:
  - Total Received – 30; Approved – 23; Pending – 7

**Canyon Tunnel**

- Seismic refraction work for upstream portal scheduled for November (pending Norcal and Drill Tech Drilling and Shoring (DTDS) schedule).
- Data logger installation in the newly drilled core holes (to monitor for groundwater) will be placed this week.
- Upstream helicopter boring locations confirmed; drill location on slope above has not changed. Working with Tri-Dam Project (TDP) to assist with a California Division of Safety of Dams (DSOD) notification.
- DTDS will support Canyon Tunnel investigation during maintenance work on the Joint Supply Canal (JSC). Assistance work includes clearing and grubbing areas, assisting with seismic

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refraction survey, building platform for drill rig in work area upstream of Goodwin Dam (between trash rack and gates pending comment from DSOD).

- Upstream drilling schedule has been moved back into December to allow DTDS to complete their work prior to drilling.
- A quote for obtaining a core sample (via drilling) for the “barge concept” was \$11,200. Timing could occur as early as December.
- SSJID, Oakdale Irrigation District (OID), TDP and Condor met to discuss functional issues with the relocation of the upstream portal. TDP personnel are generally in favor of the new preferred portal location with a concrete cover slab and proposed barge system. Desired outcome for TDP would be one gate to replace the existing three primary diversion canal gates to reduce maintenance efforts. TDP indicated that the ability to side-spill when the reservoir is below dam crest level needs to be maintained because the spill provides the only method to drain/lower the Goodwin Pool.

**Water Master Plan (WMP)**

- District staff and Jacobs held a preliminary WMP Alternatives workshop on October 19. Four conceptual alternatives were developed which will provide a starting point for comprehensive evaluation. These four alternatives will provide a reference for comparison of other refined alternatives to be developed.

**Joint Supply Canal Rockslope Maintenance**

- DTDS is still on schedule to mobilize starting the week of November 2. Construction should last 8 or 9 weeks.
- Project submittals are currently being reviewed and processed.

**Annexation Applications**

- The deadline for complete annexation application submittals (for Barton and Circle JM) is November 13.
- Engineering staff has completed the preliminary annexation evaluation and has drafted the last two feasibility reports associated with Barton (Escalon) and Barton (Ripon). The draft reports will be discussed with the Agricultural Water Committee following the October 27 board meeting.
- The reports will be finalized and distributed to the applicants following the Agricultural Water Committee meeting.

**Brandon Nakagawa, Water Resources Coordinator:**

**Sustainable Groundwater Management Act (SGMA) Update**

- The Eastern San Joaquin Groundwater Authority (ESJGWA) Steering Committee and Board of Directors met on October 14 and approved a resolution to authorize staff to enter into consultant and purchase agreements so long as the expenditure is approved in the annual budget. ESJGWA (County) staff will also continue to bring related items such as scopes of work and costs to the ESJGWA Steering Committee for recommendation prior to exercising the newly delegated authority.
- The members were asked to put forth potential projects to be funded in an upcoming round of Groundwater Sustainability Plan (GSP) project implementation funding. Only one application per basin will be allowed and more than one project may be funded for the basins. Competition

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for bond funding across the State is expected to be very high. The North San Joaquin Water Conservation District (NSJWCD) presented their potential project to improve the aging and badly leaking North System. The North System is located on the North of the Mokelumne River and starts at the pump station near Trethway Road. The North System requires replacement or repair of a significant reach of cast-in-place pipe and minimal rehabilitation of the pump station and pump sump. The NSJWCD is expected to fund the application costs and also the required local cost-share.

- The SSJGSA Board of Directors met on October 21. Of note, the SSJGSA Board received a final accounting of SSJGSA expenses from 2018-2019 through September 2020. The accounting also included the true-up amounts and approved for invoicing to the Cities of Ripon and Escalon. Based on the agreed upon cost allocation among SSJGSA members, SSJID is responsible for 85% of these costs with Escalon and Ripon responsible for 5% and 10%, respectively. Going forward, accumulated expenses will be billed to each member in arrears on a quarterly basis with the next invoice for Q4 2020 going out in January 2021.

In addition to the previous accounting of expenditures against the SSJGSA 2020 Budget, staff proposed a 2021 Preliminary Budget for consideration. SSJGSA members were asked to take the Preliminary Budget back their respective agencies with the expectation that the Final 2021 Budget be adopted at the next SSJGSA Board of Directors meeting scheduled for January 20.

The SSJGSA will need to seed its checking account to cover expenditures as revenues lag charges paid in arrears. The board approved a staff proposal that SSJID make an initial deposit of \$100,000 to the SSJGSA checking account as a credit against its share of the 2021 Budget. Based on projections using a simple cash flow analysis, the amount should keep the checking account balance in the positive. Additional calls for cash or contingencies may need to be considered in the future if expenditure and revenue projections differ greatly. The SSJGSA also approved the payment of an invoice from County staff for the 2020-2021 member dues for the ESJGWA in the amount of \$16,000 which will possibly be the first check cut from the SSJGSA's checking account.

- The SSJGSA Board also received a presentation from Ms. Valerie Kincaid, Special SSJGSA Counsel, regarding allocation approaches to groundwater in the context of SGMA. Ms. Kincaid and the other authors of the paper entitled, the SGMA and the Common Law of Groundwater Rights – Finding a Consistent Path Forward for Groundwater Allocation, explore the myriad of considerations found in existing statutes, common law, and case law mixed in with public policy. There are many considerations to a workable path forward before Groundwater Sustainability Agencies (GSAs) can embark on an allocation approach to groundwater supplies.

A few key policy considerations to an allocation approach include:

- Could an allocation approach provide regulatory certainty protecting a pumper's right to groundwater?
- Could an allocation approach deal with new irrigated acreage coming on-line triggering a dormant groundwater rights?
- Could an allocation approach incentivize or accelerate implementation of projects?
- Would an allocation approach be accepted by stakeholders overlying the basin?

Staff will work with Ms. Kincaid to develop a strategy to educate the other GSAs on the steps towards and benefits of an allocation approach. Staff intends to proceed cautiously.

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San Joaquin County Advisory Water Commission (AWC)

- The AWC met on October 21. County staff presented an update on the updated Stormwater Pollution Prevention Plan and discharge requirements. Staff from the San Joaquin Area Flood Control Agency (SJAFCA) also presented on the progress of the Lower San Joaquin River Project Phase I, Smith Canal Gate Project, Mossdale Basin (RD 17 Project), and AB 838 (Eggman) extension of the 200-yr flood protection deadline. The next meeting of the AWC is scheduled for the November 18.

Greater San Joaquin County Regional Water Coordinating Committee (GSJCRWCC)

- The October 21 meeting of the GSJCRWCC was canceled with the last meeting taking place on September 16. At that meeting, the group discussed the Draft Addendum to the Integrated Regional Water Management Plan (IRWMP) and its rollout schedule. The Draft Addendum was reviewed by the members and the comments compiled by County staff. On October 13, Directors Holbrook, Weststeyn, and Mr. Nakagawa met with County staff to discuss the process for evaluating comments, the schedule for releasing an updated draft, strategy for meeting with DWR, and other considerations prior to asking the GSJCRWCC members to adopt the IRWMP Addendum. SSJID, as a signatory to the MOU, will be asked to consider adopting the IRWMP Addendum in January 2021, a requirement for agencies wishing to receive State grant funding and an expectation of members. The next meeting of the GSJCRWCC is scheduled for November 18.

Coronavirus (COVID-19) Update

- Mr. Nakagawa has been assisting the General Manager with refining District actions, policies, and communications, and researching items related to COVID-19. In addition, he has been tracking local information of the situation through the San Joaquin Office of Emergency Services' Emergency briefings and updates from the Joint Information Center.
- At the end of August, the Governor's Administration released their Blueprint for a Safer Economy which replaces the Counties watch list. Counties may move to in-person schooling or more fully open certain businesses when new case rates and testing positivity rates fall within a less restrictive tier. In early October, the Newsom Administration announced a third metric, the Health Equity Quartile of the Healthy Places Index metric, which was established to ensure that disadvantaged neighborhood communities do not significantly lag behind overall county metrics. The County's numbers appear to be heading in the right direction as the community continues to social distance and wear masks.
- Currently, San Joaquin County meets one of the two State metrics needed to move to the less restrictive tier which would further open businesses and schools for older students. The County would need to meet both metrics for two consecutive weeks before moving to the next tier. If numbers worsen, counties may move back into more restrictive tiers. Metrics for each county are published by the State on Tuesdays.

<b><i>SUBSTANTIAL – Some non-essential indoor business operations are closed.</i></b>		
San Joaquin County	Rate	Threshold for Next Tier
New Cases Per Day per 100K	4.9	Less than 4
Testing Positivity Rate	3.3%	Less than 5%
Health Equity Positivity Rate	4.6%	Less than 5.3%
Data Source: <a href="https://www.sjready.org/events/covid19/">https://www.sjready.org/events/covid19/</a> - October 26, 2020		

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- Staff will continue to monitor the situation and ensure that SSJID customers continue to receive exceptional service despite the closure of the Main Office to the public and the need to conduct business remotely. Staff is also discussing a re-opening plan to coincide with published California Department of Public Health (CDPH) and Centers for Disease Control (CDC) guidance and community metrics.

**Peter Rietkerk, General Manager:**

**WATER SUPPLY UPDATE**

**Reservoir Storage**

- New Melones storage is currently at **1,509,398 AF**, or **63-percent** of capacity. Top of Conservation Storage limit is 1,970,000 acre-feet. The top of conservation limit starts increasing on April 1, ramping to 2,420,000 acre-feet by June 1 – September 15, then ramping down to winter levels by November 1.

**Stanislaus River Flows**

- Fall pulse flows continue on the Stanislaus River. The pulse flows will include three pulses peaking around 1,450 cfs on October 16, 23, and 28, 2020. Flows between the peaks will dip to a minimum of 400 cfs. Reclamation plans on resuming a minimum base flow of 200 cfs on November 4, 2020.

**NEWS**

Water

- The Association of California Water Agencies (ACWA) submitted a letter and materials entitled “A Roadmap to Achieving the Voluntary Agreements” to Governor Gavin Newsom and top members of his Administration on October 15. The letter calls on the administration to re-engage on Voluntary Agreements and to seek resolution of the ongoing litigation among Federal, State, and water agency parties. The letter was attached to the General Manager’s Report dated October 27, 2020.

**OTHER ITEMS**

- The ACWA Fall Conference will be held virtually on December 2-3, 2020. Directors interested in attending should contact Ms. Danielle Barney, SSJID Executive Assistant/Clerk of the Board for registration information.
- SSJID staff held a Virtual Budget Workshop on October 14, 15, and 20. Budget review via Zoom went surprisingly well and many liked the format. Special thanks to all budgeters who put time and effort in estimating next year’s operations at SSJID, and to Robin Giuntoli, Maria Gikas, Sarah Bloom, and Bere Lindley for facilitating the budget review process.
- The California Special District Association (CSDA) recently informed member agencies of a Community Power Resiliency Grant funding opportunity by the California Governor’s Office of Emergency Services (Cal OES), with \$20 million set earmarked specifically for special districts. SSJID staff is working on a grant application that, if successful, would provide funding for the backup power project at SSJID’s L1 drinking water turnout for Lathrop. Grant application deadline is October 30.

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**ACTION CALENDAR**

**Item #3 – Coronavirus (COVID-19) Update**

Mr. Rietkerk addressed Director Holbrook’s comment from the previous Board meeting regarding staff returning to the office. Mr. Rietkerk said that staff has been discussing protocols and protections based on the standard blueprint for reopening California. There is still a concern with the upcoming cold and flu season, as well as the upward trend in COVID-19 cases in the last couple of weeks. Staff is being cautious, but wants to have the appropriate measures in place.

**Item #4 – Consider Award of Construction Contract for the Nick C. DeGroot Water Treatment Plant Concrete Drying Beds Project**

Justin Ashworth, Water Treatment Plant Operations Supervisor, addressed the Board regarding the bids received for the Concrete Drying Beds Project. Mr. Ashworth stated that the engineer’s estimate for this project was \$4.5 million. HDR Inc. (HDR) was hired to help staff with the design and bid process. Bidders were also required to provide a cost for an additional K-rail installation (Alternate A). The low bid came in at \$3,612,300, Alternate A \$122,000. The highest bid came in at \$5,318,000, Alternate A \$46,000. Staff asked HDR to review the large discrepancy and found that the low bidder, Auburn Constructors, is mostly using in-house resources, while the others are outsourcing.

Staff recommends approving the proposal from Auburn Constructors for the construction of two concrete drying beds with the addition of Alternate A, K-Rail installation.

**MOTION:** A motion was made by Director Holmes and seconded by Director Weststeyn to approve the proposal from Auburn Constructors for the construction of two concrete drying beds with the addition of Alternate A, K-Rail installation.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER ROOS WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #5 – Consider Construction Phase Services Contract with HDR for the Nick C. DeGroot Water Treatment Plant Concrete Drying Beds**

Mr. Ashworth stated that staff received a proposal from HDR for project management of the Water Treatment Plant Concrete Drying Beds Project in the amount of \$342,393. This includes processing submittals, contract clarifications, change orders and reviewing invoices. HDR also provided a cost for a temporary engineering building on site during the length of the project in the amount of \$48,850. A separate building for HDR to work out of will provide a safe environment for both HDR and WTP staff.

Mr. Ashworth recommended approval of the proposal from HDR for construction phase services and temporary engineering office during the WTP Concrete Drying Beds Project.

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Director Holbrook wanted to make sure that the contractor did not do their own concrete testing, and that the testing was done by an outside third party company. Chad Parsons, SSJID Civil Engineer, said the contract calls for the contractor to hire an outside agency to do the concrete testing.

Director Weststeyn asked Mr. Ashworth to see if HDR can try and get the cost down for the temporary engineering office as the price seemed a little high. Mr. Ashworth said he will contact them.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Holmes to approve the proposal from HDR Inc. for construction phase services and a temporary engineering office during the WTP Concrete Drying Beds Project.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER ROOS WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #6 – Consider Award of Construction Contract for the 2020 Cut Down Pour Over Wall Project**

Forrest Killingsworth, Engineering Department Manager, addressed the Board and explained that the District has done over 30 cut down pour over wall projects over the last couple years with positive feedback and results. Staff solicited bids from contractors to perform the pour over wall modifications at 22 sites. Only one bid was received from Dellabarca Design & Build Inc. (DB2 Concrete) in the amount of \$292,259.00. The bid was evaluated and found to be non-responsive and non-conforming due to an incomplete submission.

Staff spoke with DB2 Concrete regarding the results of the bid and recommends that a trial project be initiated with DB2 Concrete at 5 of the 22 locations. The contract would be based on a time and materials arrangement plus a 10% contractor fee, not to exceed \$45,000. Additionally, Mr. Killingsworth recommends authorizing staff to negotiate and issue a change order for up to 20 additional cut down pour over walls, limiting the cost to no more than \$9,000 per pour over wall modification.

Director Holbrook thanked Chad Parsons for working with the contractor and coming up with a way to get the job done.

**MOTION:** A motion was made by Director Holmes and seconded by Director Roos to enter into a contract with DB2 Concrete to perform 5 cut down pour over wall modifications on a time and material basis, not to exceed \$45,000. Additionally, authorize staff to negotiate and issue a change order for up to 20 additional cut down pour over walls, limiting the cost to no more than \$9,000 per pour over wall modification.

The motion passed 5 to 0 by the following vote:

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AYES:           HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #7 – Consider Award of Construction Contract for the Van Groningen Embankment Restoration Project**

Mr. Killingsworth stated that staff received five bids for the Van Groningen Embankment Restoration Project which will repair the storm water damage and reclaim the Control Room’s “unusable space” with the placement of 7,515 cubic yards of compacted fill. AM Stephens Construction, Inc. was the low bidder at \$67,395 and was found to be a complete and conforming bid.

Mr. Killingsworth recommended approving the award of contract to AM Stephens Construction Company, Inc. in the amount of \$67,395 and authorize the General Manager to issue change orders totaling \$25,000, in the event of unforeseen circumstances.

**MOTION:** A motion was made by Director Roos and seconded by Director Holbrook to approve the award of contract to AM Stephens Construction Company, Inc. in the amount of \$67,395 and authorize the General Manager to issue change orders totaling \$25,000, in the event of unforeseen circumstances.

The motion passed 5 to 0 by the following vote:

AYES:           HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #8 – Consider Concrete Bid Selection for District Related Projects, and Purchase of Concrete for R-Ditch Lining Project**

Frank Avila, Irrigation Operations Manager, said staff received bids to provide concrete for the R-Ditch Lining Project. Allied Concrete was the low bidder at \$121.50 per cubic yard. Approximate cost from Allied Concrete’s bid for this project is \$124,000, the amount budgeted for this project is \$142,000.

Mr. Avila recommended approving the bid from Allied Concrete and authorizing the purchase of materials to support the R-Ditch Lining Project up to the budgeted amount.

**MOTION:** A motion was made by Director Holmes and seconded by Director Holbrook to approve the bid from Allied Concrete and authorize purchase of materials to support the R-Ditch Lining Project up to budget amount.

The motion passed 5 to 0 by the following vote:

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AYES:           HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #9 – Consider Approval of BA Pipeline Relining Maintenance Demonstration Project**

Mr. Avila said staff has been in contact with Modesto Irrigation District (MID) regarding a newer pipeline shotcrete lining technology that they have been using for the last five years. MID has offered to come and perform a special demonstration for District staff to show how well the machine relines the pipelines. Staff selected 250’ of Lateral “Ba” that has been slated for replacement for the location of the demonstration.

Mr. Avila recommended approving the project concept, authorizing staff to develop agreements to undertake the project, and authorize General Manager to approve related agreements as necessary. All Board members expressed that they liked the project and would like to be informed of the demonstration date.

**MOTION:** A motion was made by Director Holmes and seconded by Director Weststeyn to approve the project, authorize staff to prepare necessary documents for the project, and authorize General Manager to approve related agreements as necessary.

The motion passed 5 to 0 by the following vote:

AYES:           HOLBROOK HOLMES KAMPER ROOS WESTSTEYN  
NOES:           NONE  
ABSTAIN:        NONE  
ABSENT:        NONE

**Item #10 – Presentation of the Solar Farm Economic Analysis**

Ms. Bloom stated that she prepared this analysis to analyze and determine the District’s financial benefit of the Robert O. Schulz Solar Farm and to estimate how much repair cost could be justified by the economic benefit SSJID would realize from needed repairs. This analysis was intended to assist the Board in determining its approach to repairs. She stated that the solar farm has not been operating at full capacity and, in order to get the full economic benefit, repairs are necessary.

The conclusion of Ms. Bloom’s analysis is that the economic benefit of the solar farm, if it were repaired to full production, would justify spending well more than \$1 million on repairs. If \$1 million were spent returning the solar farm to full production, the internal rate of return on the repair cost would be about 20% per year.

Ms. Bloom explained that the solar farm was installed in two phases and each phase is metered independently from the other and has separate agreements with PG&E. All solar farm power generated is transferred to the grid. When the solar farm is working properly it can offset most off the cost of electricity used by the Water Treatment Plant. Ms. Bloom’s entire analysis was included in Item #10 of the agenda packet.

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Director Holmes stated that he did his own research through the District's website and could see the drop in production. He stated that it was important to replace or repair what we have. Mr. Rietkerk thanked Ms. Bloom and noted that the solar farm has had significant issues. Two inverters had stopped working, one has already been repaired and the other will be repaired soon. He also stated that Mr. Erisman is now having staff do inspections on the panels.

**Item #11 – Discussion Regarding the Joint Powers Insurance Authority Virtual Annual Board Meeting on November 30, 2020**

Mr. Rietkerk said the annual Joint Powers Insurance Authority Board Meeting will be held virtually on November 30, 2020 and is not associated with ACWA this year. Directors Roos and Holbrook can coordinate viewing the conference at the District office with Ms. Barney.

**Item #12 – September 2020 Financial Statements**

Mr. Lindley presented the September 2020 Financial Statements to the Board and was available for questions. He provided detailed information on the YTD Balance Sheet; Revenues, Expenses, and Changes in Net Position; Changes to Cash and Investments; Cash and Investments Summary; and Reserve Balances Summary. The Financial Statements for September 2020 were included in the agenda packet, Item #12.

**Item #13 – September 2020 Investment Report**

Mr. Lindley presented the September 2020 Investment Report to the Board and was available for questions. An additional handout was given to the Board to include with the September 2020 Investment Statement that was included in the agenda packet as Item #13.

***To Be Discussed/Considered After Closed Session Item 15:***

**Item #14 – Following Performance Evaluation, Consider Compensation for General Counsel.**

***It was announced that all items in closed session would be discussed. The Board took a break at 11:47 a.m. and convened to closed session at 12:05 p.m.***

**Item #15 – CLOSED SESSION**

15. a. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9
  - 4 cases
- b. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Section 54956.9
  - 2 cases

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- c. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9  
- 8 cases

*SAN JOAQUIN TRIBUTARIES AUTHORITY, et al., vs. CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD*  
County of Sacramento Superior Court  
Case No. JCCP 5013

*SSJID vs. PG&E*  
Appeal from Judgment of Dismissal Pending:  
In the Court of Appeal for the State of California, Third Appellate District  
Case No. C086319  
Superior Court for San Joaquin County  
Case No. STK-CV-UED-2016-0006638

*PG&E vs. San Joaquin LAFCo; SSJID, Real Party in Interest*  
In the Court of Appeal for the State of California, Third Appellate District  
Case No. C086008  
Superior Court for San Joaquin County  
Case No. STK-CV-UJR-2015-0001266

*SSJID vs. Lakeview Ranch Partners*  
Superior Court for Stanislaus County  
Case No. 2028441

*Modrell and Larson vs. Oakdale Mutual Water Company et al*  
Superior Court for San Mateo County  
Case No. 19-CV-07604

*Tri-Dam et al vs. Linda Santos*  
Superior Court of Stanislaus County  
Case No. CV-20-002349

*Tri-Dam et al vs. MWH Americas, Inc., et al*  
Tuolumne County Superior Court  
Case No. CV-61638

*California Sportfishing Protection Alliance v. Eastern San Joaquin Groundwater  
Authority et al.*  
Superior Court of Stanislaus County  
Case No. CV-20-001720

- d. Public Employee Performance Evaluation  
California Government Code Section 54957(b)(1)  
Titles: General Counsel

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*The Board reconvened to open session at 1:36 p.m.*

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:  
There were no reportable actions taken in Closed Session.

**Item #14 – Following Performance Evaluation, Consider Compensation for General Counsel**

**MOTION:** A motion was made by Director Holbrook and seconded by Director Holmes to set the General Counsel’s salary at \$198,000, retroactive to the August 21 anniversary date.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER ROOS WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #14a – Claim for Property Damage to Almond Trees from Mr. Ken Baumbach was added to the agenda.**

**MOTION:** A motion was made by Director Holbrook and seconded by Director Weststeyn to approve no more than \$10,000 for damage to the almond trees, and authorize staff to negotiate with the owner.

The motion passed 4 to 1 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER WESTSTEYN
NOES:	ROOS
ABSTAIN:	NONE
ABSENT:	NONE

**Item #16 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:45 p.m.

**ATTEST:**

\_\_\_\_\_  
Dawn Driesen, Administrative Secretary