

Manteca, California
October 28, 2003

The Board of Directors of the South San Joaquin Irrigation District met in regular adjourned 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 Engineering Department Supervisor Bologna.

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. SSJID Warrants of \$2,252,346.32.
- B. Regular Board Meeting Minutes of October 14, 2003.
- C. Accept work by Conco West and authorize filing the Notice of Completion for Lateral "Ue" and "Ue-dd" project and adoption of Resolution No. 03-19-P for the Quitclaim of Easements.

SOUTH SAN JOAQUIN IRRIGATION DISTRICT RESOLUTION NO. 03- 19 -P

RESOLUTION AUTHORIZING THE CONVEYANCE BY QUITCLAIM OF EASEMENT OF THE DISTRICT

WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT, hereinafter referred to as **■District●**, is the holder of an easement for Lateral **■Ue●** and **■Ue-dd●** which burdens a portion of Sections 19 and 30, Township 2 South, Range 8 East, Mount Diablo Base and Meridian, situated within the City of Ripon, County of San Joaquin, State of California, (**■Easement●**) and

WHEREAS, the Easement specifically burdens in part the following-described real property (**■Subject Properties●**):

Vera Linda Estates, #1, Lots 1 and 14 - APN 259-120-19 & 20
Van Andel Tract, Lots 1 - 23 - APN 259-160-01 - 24
Hartmeyer Tract, Lot 30 - APN 259-170-19
Lindblom Tract, Lot 1 - APN 259-020-19 & 61
Ripon Irrigated Farm, #2, Lot 20 - APN 259-100-51 & 52, 259-110-12
Travaille Tract, Lots 1 & 14 - APN 259-220-01 & 13
Riviera Homesites, Lots 1, 33, 34, 35 & 36 - APN 259-130-19, 20, 21, 22 & 38
Ripon Manor, #3, Lots 117 & 120 - APN 259-410-01 & 02
Ripon Manor, #5, Lots 154-161 - APN 259-530-01 - 08
Almond Queen Terrace, #1, Lot 10 - APN 259-440-10
APN 259-180-10, 14, 15, 16, 17 & 19, 259-030-18

WHEREAS, the easement is no longer utilized for irrigation and drainage purposes, and the pipeline formerly in the easement has been either removed or abandoned in place and filled with a concrete slurry mix, and

WHEREAS, it is in the best interest of the District that the portion of the Easement burdening the Subject Properties be quitclaim deeded to the current owners of the underlying property, and

WHEREAS, the District's Board of Directors finds as follows:

1. The pipeline has been satisfactorily abandoned in place or removed within the Subject Properties easement, and
2. The District's interest in the Subject Properties proposed to be quitclaim deeded is no longer necessary for District purposes, and
3. The properties to be quitclaim deeded is exempt surplus land within the meaning of Government Code 54221 (e) (2), and,
4. The proposed disposition of the District's Easement in the Subject Properties is categorically exempt under California Environmental Quality Act as Class 12 Project pursuant to 14 CA Adm. Code of Regulations 15112 since the surplus government property does not have significant value for wildlife habitat or other environmental purposes and the property is of such size and shape that it is incapable of independent development or use.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the South San Joaquin Irrigation District hereby authorize the President and Secretary to, execute on behalf of the District a quitclaim deed to the current owners of the underlying property disposing of the District's Easement interest in the Subject Properties.

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

PASSED AND ADOPTED this 28th day of October by the following roll call vote:

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

Discussion and approval of Resolution 03-18-B, setting 2004 Water Rates: Emrick said the Rule No. 3-1 of the Resolution should read as follows:

Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which do not utilize District Water Service may be exempted from District USE OF DISTRICT WATER fees provided the owner of such lands enter into an Irrigation Service Abandonment Agreement covering same and provided further, there are no outstanding amounts owed to District on such lands. Some parcels not using District water may be exempt from Recharge Fees subject to the District's Recharge Policy.

Motion by Roos, seconded by Kamper, to adopt Resolution No. 03-18-B Setting 2004 Water Rates.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 03-18-B
RESOLUTION TO REAFFIRM CHARGES FOR
SERVICES FURNISHED BY THE DISTRICT**

WHEREAS, Irrigation District law provides authority for the District, in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

WHEREAS, the District currently charges \$24.00 per acre for water service to each parcel in the District on which District-supplied surface water is used for irrigation, with a minimum charge of \$50, and

WHEREAS, the District currently charges \$12.00 per acre for groundwater recharge to each parcel in the District which is subject to a recorded Irrigation Service Abandonment Agreement, and on which crops are commercially grown, with a minimum charge of \$25, and

WHEREAS, the District declares the following:

(1) The revenues derived from these said fees do not exceed the funds required to provide subject properties related services.

(2) The revenues derived from the charges will not be used for any purpose other than that for which the charges are imposed.

(3) The amount of a charge imposed shall not exceed the proportional cost of the service.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that pursuant to Sections 22280 and 22283 of the Water Code, the District hereby sets water charges for the 2003 water year as follows:

RULE NO. 1-1, Subject to rule number 1-2; for each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, there shall be an annual ■USE OF DISTRICT WATER• charge of **\$24.00** per acre for the ■Use of District Water.●

RULE NO. 1-2, Subject to rule number 3-1; for each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, the minimum billing (charge) for ■USE OF DISTRICT WATER• shall be **\$50.00**.

RULE NO. 2-1, Subject to rule number 2-2; those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which are used to grow commercially grown crops but which, (a) choose not to utilize District Water Service, and (b) which are the subject of an approved District Irrigation Service Abandonment Agreement, there shall be an annual ■GROUND WATER RECHARGE• charge of **\$12.00** per acre for the benefits derived from ■Ground Water Recharge.●

RULE NO. 2-2, Subject to rule number 3-1; for each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, the minimum billing (charge) for ■GROUND WATER RECHARGE• shall be **\$25.00**.

RULE NO. 3-1, Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which are not used to grow crops or which do not utilize District Water Service may be exempted from District ■USE OF DISTRICT WATER• and ■GROUND WATER RECHARGE• fees provided the owners of such lands enter into an ■Irrigation Service Abandonment Agreement• covering same and provided further, there are no outstanding amounts owed to District on such lands.

PASSED AND ADOPTED this 28th day of October 2003 by the following roll call vote:

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

Discussion concerning Winter Maintenance Program: Stroud went over the 2003-2004 proposed Winter Work Program. He explained how they were prioritized by acreage served, condition of the infrastructure, and other factors. He noted that with just our own equipment one pipeline replacement job would not be finished until approximately March 26th. However, if we rent an excavator to use with ours, we could be finished two to three weeks earlier. Also, with labor requirements, we may need up to as many as 5 temporary employees. We would only use them when we are short of crews due to long term medical issues, vacations, injuries and illnesses when we cannot stay on schedule with remaining staff. He said unless the Board had objections to renting an excavator and hiring temporaries on an as needed basis there is no action required. No action was taken.

Review and approve equipment repair bids. Stroud said our 125C International crawler/loader, purchased in 1975 needs the following repairs: Worn out rails, rollers

and sprockets and egg shaped center crossbar holes. The center crossbar holes need to be line bored and built back up. The other above mentioned parts need to be replaced. Three bids were obtained, as follows: Miller Track, \$8,375.02; Nortrax West, \$9,886.06, and K&R Diesel, \$10,374.28. Holt of California did not submit a bid although they were asked to. Stroud recommended approving Miller Track's proposal. Motion by Kuil, seconded by Roos, and unanimously carried, to authorize Miller Track to repair the equipment at a cost of \$8,375.02.

General Manager's reports:

Stroud reported the following:

Safety Day was a success. We had some excellent speakers, and employee moral was good. He thanked Directors Schulz and Kamper for cooking the meat. He noted one of the speakers was AFLAC, who does pre-tax benefits and supplemental insurance programs. He said as a result of their presentation and the interest shown by employees we are meeting with them Thursday, October 30, 2003 to evaluate their program. If we are satisfied that it will bring benefit to the employees without significant adverse impact on the District, we will bring a recommendation to the Board at the next meeting.

Relative to the Employee Appreciation Dinner, usually held in January, unless the Board objects we will have a "Casino Night". The consensus of the Board was that would be a good change.

Relative to ACWA Conference December 3 - 5, 2003 in San Diego. Pre-registration forms for those attending need to be filled out and submitted on or before November 5th. Director Schulz said he had decided not to attend the conference and asked his hotel reservation be cancelled. Additionally, Stroud said the Water Treatment Plant Consultants are hosting a dinner on Wednesday night, December 3rd and he needs to know who will attend before November 5th.

Relative to staffing, Mario Queirolo resigned as the Mechanic in the shop. We have posted the job and hope to fill it shortly.

Reported the State Water Board is looking at fees based on water rights, and a charge per acre foot. For the first six months of 2004 the fee is estimated at 3 cents per acre foot, which would cost us \$9,000. For the next fiscal year it would be 6 cents per acre foot. The San Joaquin River Group and others are providing feedback to the State Board concerning how the Department may be funded on an equitable basis.

Gave a copy of a letter OID's General Manager sent all their landowners relative to the AG Waiver. He said unless the Board has a problem with the concept, he will offer the coalition a few hundred dollars to help offset the cost of their mailing to our landowners.

Relative to the Culvert Replacement at the FCOC on Yosemite Blvd., construction is scheduled to start about November 15, 2003.

Construction on the Water Treatment Plant and pipelines, has begun. Woodward Reservoir is empty, with the exception of approximately 500 acre feet, which was left to assist the fisherman and the Department of Fish and Game in removing fish. We will drain the remainder this week.

River Group Commission meeting is scheduled for October 31, 2003 at 10:00 a.m. Stroud and Director Roos will attend.

Directors were provided a copy of the upcoming newspaper ads for the Water Treatment Plant and pipeline construction.

SSJID received approximately 25,000 acre feet of water from OID in the 2003 irrigation season.

Directors' reports:

Roos asked about two properties in Ripon that are paying recharge. Stroud said if maps for construction have been filed, the properties can re-file their Irrigation Service Abandonment Agreements and we will remove the fees if all terms of the Recharge Policy are adhered to.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update. General Counsel Emrick said we will discuss item a) and b).

a) Conference with legal counsel- existing litigation. Gov. Code, S. 54956.9.

Sierra Club et. al. v. SSJID.
SSJID v. Donald A. Machado
SSJID v. John M Azevedo
SSJID v. Januario Meneses
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 Kamper, seconded by Kuil, and unanimously carried, to adjourn to November 11, 2003 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary