

Manteca, California
November 14, 2000

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 HAWORTH KAMPER SCHULZ

ABSENT: ROOS

Also present were Secretary/Manager Martin, Attorney Emrick, and Engineering Department Supervisor Bologna.

Vice President Kamper 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 \$421,412.27 and payrolls of \$119,360.96.
- B. Regular Board Meeting Minutes of October 24, 2000, and Special Board Meeting Minutes of October 31, 2000 and November 3, 2000. Assistant Secretary Stein said the October 24, 2000 minutes, page 4, paragraph 3, sentence 1, should read: “Consider conceptual approval of plan from the City of Manteca for drainage improvements relative to Lateral “Re” at Main Street which will result in abandonment of a portion of Lateral “Re”.”
- C. Adopt Resolution 2000-19-F, approving the consolidation of bank accounts.

RESOLUTION 00-19-F RESOLUTION TO CONSOLIDATE BANK ACCOUNTS

WHEREAS, South San Joaquin Irrigation District currently has two checking accounts and two money market accounts with US Bank; and

WHEREAS, the purpose of these accounts are for the financial transactions of the South County Surface Water Supply Project; and

WHEREAS, changes have been made that eliminate the need for four separate bank accounts; and

WHEREAS, it is in the best interest of the District to consolidate the bank accounts into one checking and one money market account; and

WHEREAS, the signers on the new accounts shall remain the same.

THEREFORE BE IT RESOLVED, that the District will consolidate the existing accounts with US Bank into one checking and one money market account with the following District employees as signers:

Richard Martin, General Manager
John Stein, Assistant General Manager

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 14th day of November, 2000, on the motion of Director Schulz, seconded by Director DeGroot on the following roll call vote:

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

D. Adopt Resolution 2000-20-O, amending the District's Sphere of Influence.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 00-20-O
RESOLUTION TO AMEND SPHERE OF INFLUENCE**

WHEREAS, South San Joaquin Irrigation District provides irrigation and drainage services within its existing boundaries, and

WHEREAS, the District intends to extend its sphere of influence to include the areas west and south of its existing boundaries as shown in the red cross-hatched area on the map attached to this Resolution, but excluding the area outlined in purple which is already within the District's sphere of influence, and

WHEREAS, the District is currently planning certain improvements to its existing irrigation and drainage facilities which may result in the conservation of additional water supplies and enable the District to provide services in the areas proposed for inclusion in its sphere of influence, and

WHEREAS, the District intends to determine whether irrigation and drainage services can be provided to landowners in the area on mutually acceptable terms, and

WHEREAS, as a California irrigation District, the District may acquire, operate, and control plants for the generation, transmission, distribution, sale and lease of electric power and may distribute electric power inside and outside its boundaries, and

WHEREAS, the District is a co-owner of hydroelectric generation facilities through the Tri-Dam

Project and Tri-Dam Power Authority, and the District is planning to distribute the power it generates through its own electrical distribution system, and

WHEREAS, the District has entered into a settlement agreement (“Agreement”) with the Pacific Gas and Electric Company (“Company”) in which the District may acquire by condemnation a portion of the Company’s electrical system which is outlined in red lines on the map attached to this Resolution, and

WHEREAS, a portion of the electrical system to be acquired by the District is located outside the District’s boundaries and within the proposed sphere of influence, as shown within the yellow outlined areas on the attached map and a portion of which is within the District’s existing sphere of influence which is shown in the purple outlined areas on the attached map, and

WHEREAS, the Agreement requires that the District obtain the approval of the LAFCO of San Joaquin County to provide electrical service within the areas currently served by the Company’s electrical facilities which are located outside of the District’s boundaries, and the District intends to apply to LAFCO to amend its sphere of influence and to obtain approval to provide electrical services within that portion of the sphere of influence which is subject to the Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

5. The foregoing recitals are approved.
6. The District shall apply to LAFCO of San Joaquin County to amend its sphere of influence to include the areas shown in the red cross-hatched area on the map attached to this Resolution, but excluding the area outlined in purple which is already within the District’s sphere of influence, and
7. The District shall apply to LAFCO of San Joaquin County to provide electrical services within the areas currently served by the Company’s electrical facilities which are located outside of the District’s boundaries, as shown within the yellow and purple outlined areas on the attached map and shall apply LAFCO at a later date when it has determined that it is feasible to provide irrigation and drainage services to the areas.
8. LAFCO of San Joaquin County shall be lead agency as to any required environmental review of the District’s applications to amend its sphere of influence and to provide electrical services in the sphere of influence.
9. The District staff shall work with LAFCO to supply such additional information as may be required to process the applications.

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 14th day of November, 2000, on the motion of Director

Schulz, seconded by Director DeGroot on the following roll call vote:

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

Motion by Schulz, seconded by DeGroot, to approve the consent calendar items as amended.

Consider approval of plans for the Lathrop Industrial Development as it related to the proposed crossing of the FCOC with a sanitary sewer force main and authorize execution of a Developers Agreement and Encroachment Agreement of same. Bologna said he discussed sharing of costs to replace or repair the culvert under Yosemite Avenue with the cities of Lathrop and Manteca. Lathrop would pass the cost on to developers, Manteca said they recognize the need to replace the culvert, however, they have nothing budgeted for this fiscal year. Timothy Murphy, representing the developer said he could shut off flows during the replacement and would pay the costs incurred as a result of putting in his line. The Board felt an engineering study should be done on the culvert to determine the best course of action. After discussion the following action was taken. **Motion by Haworth, seconded by DeGroot, and unanimously carried, to approve the plans and authorize execution of necessary documents subject to review and approval by the District’s General Counsel.**

Consider conceptual approval of improvement plans submitted by Quartaroli and Associates for proposed parking lot improvements within the Sadie Cabral property located at the corner of Yosemite and Garfield Avenues. The project effects a portion of Lateral “Tb”. Bologna said the “Tb” is no longer being used by the District for irrigation, and will eventually be turned over to the City of Manteca when we complete the drainage agreement with the city. The developer wants to tie into the line and remove the control box, which we had planned to do. He said as long as the city accepts responsibility and holds the District harmless he recommends approval. Martin said he concurs as long as the letter is signed by the City Manager. **Motion by Haworth, seconded by Schulz, and unanimously carried, to approve the request by the developer to drain into Lateral “Tb”, subject to District Counsel’s approval of a letter from the City Manager, Bob Adams, stating the City of Manteca will be responsible for the drainage and will hold the District harmless.**

Consider approval of the replacement of the Lateral “Ta” Station 190-200. Martin said the project consists of approximately 633 feet of 48" RGRCP, cost approximately \$58,236. Martin recommends approval. **Motion by Schulz, seconded by Haworth, and unanimously carried, to approve replacing 633 feet of 48" cast-in-place pipe with RGRCP at a cost of \$58,236.**

Consider approving purchase of lockers for the maintenance and yard employees. Martin said we have three proposals, the low being from Granger at \$3,499.20 + sales tax. Martin recommends purchasing the lockers from Granger. **Motion by DeGroot, seconded by Schulz, to purchase the lockers from Granger as recommended. Passed and adopted, 3 Ayes, 1 No, with Director Haworth voting No.**

Consider adopting Resolution No 00-21-O which amends Resolution No. 90-18-O. Emrick said the amendment changes the policy of a single class of landowners to a dual class based on

the agreement with the Cities involved in the Water Treatment Plant. **Motion by DeGroot, seconded by Schulz, and unanimously carried, to adopt Resolution 00-21O.**

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 00-21-O
AMENDING RESOLUTION 90-18-0**

WHEREAS, the Board of Directors adopted Resolution 90-18-0 on October 11, 1990, and amended the resolution by adopting Resolution 93-17-0 on July 13, 1993, and

WHEREAS, the District's Resolutions provide that "Original Landowners", who are those landowners already in the District and "Landowners" or "New Landowners", who are those whose land is to be annexed to the District, are members of a single class and have the same rights to water, and

WHEREAS, the District entered into a Water Supply Development Agreement dated October 1, 1995, ("Water Supply Agreement") with the cities of Escalon, Manteca, Lathrop and Tracy, and a separate agreement with the City of Ripon which provide that the five Cities have a priority over land annexed to the District after the Water Supply Agreement, and

WHEREAS, the District has not annexed any land since contracts were signed with the five Cities, and it is the District's desire to amend its annexation policy to address the contractual commitments to the five Cities, and

WHEREAS, it is the District's desire to amend its resolution policy to establish a second class of landowners with a lesser priority to that of Existing Landowners and of the five Cities when the District's water supply is inadequate,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby further amends Resolution 90-18-0 as follows:

10. The following recitals in Resolution 90-18-0 are deleted:
 - I. "District believes that the best policy is that all landowners of the District be treated equally."
 - J. "It is the District's desire to have a single class of landowners having equal rights and benefits as opposed to multiple classes of water users and properties with different water allocations, except insofar as the Board of Directors finds Water Code section 22252.1 through 22252.3 or 22257 applicable."

“AND WHEREAS, based upon the foregoing findings, all landowners and members of the District, be they new or current members, will be entitled to the distribution of water and the right to receive services from the District.”

11. The following recitals are added to the Resolution:

WHEREAS, the District intends to meet the water supply requirements of Original Landowners, District’s contractual responsibilities to the five Cities, and the requirements of Landowners in every year, subject to its available water supply, its water rights, its available water delivery facilities, except insofar as the Board of Directors finds Water Code section 22252.1 through 22252.3 or 22257 applicable.

AND WHEREAS, it is the District’s intention to establish a second class of landowners and to thereby create multiple classes of landowners; one class to be composed of Original Landowners and a second class to be composed of Landowners annexed after the effective date of this Resolution. The second class of Landowners will be entitled to equal benefits to the District’s water supply to the extent of District’s water supply, its water rights and its available water delivery facilities, except that its water supply is subject to cutoff in order for the District to serve Original Landowners and to satisfy the District’s contractual obligations to the Cities of Manteca, Escalon, Ripon, Lathrop and Tracy.

12. Section 10.6 is amended to read as follows:

Upon completion of the annexation of Landowner’s property into the District, Landowner shall be, if not then in default of any payments due the District of any terms and conditions of the rules and regulations of the District, entitled to equal benefits to the District’s water supply to the extent of District’s water supply, its water rights and its available water delivery facilities, except that its water supply is subject to cutoff in order for District to serve Original Landowners and to satisfy the District’s contractual obligations to the Cities of Manteca, Escalon, Ripon, Lathrop and Tracy as of the date of this Agreement.

The foregoing Resolution was duly adopted at a meeting of the Board of Directors of South San Joaquin Irrigation District held on the 14th day of November, 2000, on the motion of Director DeGroot, seconded by Director Schulz on the following roll call vote:

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

General Manager’s report:

Martin reported that we will be meeting with the Recruiter for the District Engineer's position tomorrow. Also, we will meet with the IBEW representatives for negotiations of the MOU which expires December 31, 2000.

Martin reported we have severe damage to the Valley Home Siphon. It is deteriorated and will eventually need to be replaced. The siphon runs under Lone Tree Creek, an abandoned railroad crossing, and Valley Home Road, it is about 150 feet long. He said we may be able to shorten the length by approximately 100 feet due to the abandoned rail road crossing.

Martin reported that the Operating Committee for the Water Treatment Plant, is looking at moving into the design stage.

Martin read the following Structure Abandonment into the record:

Jay Hoff, APN 261-030-11, to abandon double slide takeout structure located on Lateral "V" at Station 75+00 (right).

Martin announced to the Board that he intends to retire in April 2001.

Directors' reports:

Kamper said that the ACWA Conference last week was quite expensive, and we should probably look at the cost in the next budget.

Vice President Kamper called for closed session relative to litigation matters, personnel matters, and labor update. Attorney Emrick said we will be discussing items a & b.

- a) Conference with legal counsel, anticipated litigation, Institution of Litigation. Gov. Code, S. 54956.9. Three cases.
- b) Confernce with legal counsel, existing litigation, Gov. Code, S. 54956.9 (a).

Stanislaus County vs. SSJID & Sierra Club vs. SSJID.

Upon returning from closed session Attorney Emrick announced no reportable action was taken.

Motion by Schulz, seconded by DeGroot, and unanimously carried, to adjourn to November 28, 2000 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

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