

Manteca, California
November 14, 2006

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 KAMPER SCHULZ KUIL

Also present were Secretary/Manager Stroud, District Counsel Emrick, District Engineer Gilton, Shop Supervisor Simons, Engineering Department Supervisor Bologna, and Water Treatment System Manager Hubkey.

Vice President Kuil called the meeting to order and asked for public comment. There being none he asked the Board consider approving the Consent Calendar items as presented. District Counsel Emrick requested that item D. "Accept Black & Veatch's recommendation to file Notice of Completion for Overaa's Contract" be postponed until the next meeting.

CONSENT CALENDAR

- A. SSJID warrants of \$613,841.15, and payrolls of \$257,184.50.
- B. Regular Adjourned Board meeting of October 24, 2006.
- C. Approve the following Irrigation Service Abandonment Agreements:

Agreements	Acreage	APN	Owner
1517	8.55	218-130-04	Marie Raymus
1518	9.82	218-130-05	Marie Raymus
1519	2.90	218-130-06	Marie Raymus
1520	15.57	218-140-01	Marie Raymus
1521	2.90	200-140-20	Kelly Mah
1522	6.83	208+030-36	Edmond Chiconine

Motion by Director Schulz, seconded by Director DeGroot to approve Consent Calendar Items A., B., and C. as presented.

PASSED AND ADOPTED this 14th day of November 2006 by the following roll call vote:

Ayes: DeGroot Kamper Schulz Kuil

Consider approving Resolution 06-16-Q, declaring 45 log booms surplus and authorize the General Manager to sell them to the highest bidder. Hubkey told the Board we have 60 extra booms and we only need about 15, thus he would like to sell 45 of them. He said a dealer offered unofficially \$245 per boom. Additionally, Tri-Dam is interested in buying them. Motion by Director Kamper, seconded by Director DeGroot, and unanimously carried to adopt Resolution No. 06-16-Q. Additionally, to work with Tri-Dam and give them first priority on purchasing the log booms.

RESOLUTION NO 06-16-Q

AUTHORIZING THE SALE OF PROPERTY NO LONGER NECESSARY FOR DISTRICT PURPOSES

WHEREAS, the District may sell for valuable consideration, any property of the District, which it finds to be no longer necessary for District purposes;

WHEREAS, the Board of Directors of the South San Joaquin Irrigation District finds that 45 log booms located at the Woodward Reservoir for sale that are no longer necessary for District purposes and that it is in the best interest of the District to sell said property; and

WHEREAS, the District funds, the following value is a fair consideration for said property; and

<u>DISTRICT IDENTIFICATION</u>	<u>FAIR MARKET VALUE</u>
Log Booms located at Woodward	\$12,375

NOW, THEREFORE BE IT RESOLVED AND ORDERED that the Assistant General Manager of the District is authorized to seek bids for the sale of this property for a period of 30 days thereafter, directed to sell said property to whoever presents the highest cash offer, provided that the offer is equal to or exceeds the following:

<u>DISTRICT IDENTIFICATION</u>	<u>MINIMUM PRICE</u>
Log Booms located at Woodward	\$12,375

BE IT FURTHER RESOLVED AND ORDERED that the General Manager is authorized and directed to take all necessary steps and execute all documents necessary to finalize the transfer and sale of said property.

PASSED AND ADOPTED ON THIS 14th day of November 2006 by the following roll call vote:

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

Consider approving purchase of a 16" back pulse valve at a cost of \$8,657.72. Hubkey said this valve leaks, is out of warranty, and cannot be fixed. He would like to buy a new one. Recommends approval as requested. Board asked if he shouldn't buy two and keep one as a spare. Hubkey said he did not feel that was necessary – we haven't had any problems with the other seven. Motion by Director Schulz, seconded by Director DeGroot, and unanimously carried to approve the purchase of one 16" valve at a cost not to exceed \$8,657.72.

Vice President Kuil asked Hubkey to give his Manager's report:

- We are currently flushing the lower intake pipe, and will start taking water from the lower intake next week.
- City of Tracy is looking at taking the Citric Acid on an experimental basis.

Update on District plans to comply with proposed Air Resources Board (ARB) Diesel Particulate Regulations and possible action. Simons told the Board that the District is subject to the new regulations limiting emissions from government owned heavy duty and medium duty diesel engines in on road equipment. Simons said we have nine vehicles which are under the requirements. Two that require immediate attention, a 1987 water truck and 1990 dump truck. The water truck engine, although it has low mileage and is in good condition, cannot be retrofitted, so the truck needs to be replaced. The dump truck is in bad shape, and should be replaced, although there is a retro fit engine available for it at about \$20,000, the chassis has over 383,000 miles. He recommends we get bids on both and trade the old trucks in before the end of the year. After that time, there are restrictions on disposition of the equipment. Simons said he has a quote from one dealer who will give us \$12,000 for the water truck on trade, and we can rent the water truck for \$3,500 per month from the dealer until the new unit arrives. The Board asked if he could get three proposals to purchase replacements, and make the purchase contingent on getting the rental on the water truck for no charge until the new truck comes in. Simons said he thinks he can do this. Motion by Director Schulz, seconded by Director DeGroot, and unanimously carried to get quotes on two new trucks, water truck and dump truck, with free rental until the new water truck arrives.

Consider Kelly Mah's request for refund on water charges for APN 200-140-20. Stroud recommended denying the request of Mr. Mah. He said it is a private ditch which was to have been replaced with pipe and was not. The ditch is full of weeds and no water can be put down it. Mr. Mah has filed an Irrigation Service Abandonment Agreement. Motion by Director DeGroot, seconded by Director Kamper, and unanimously carried, to deny the refund.

Consider conditional approval of improvement plans and related documents pertaining to the Shadow Hawk Subdivision involving improvements to a portion of Lateral "V" & "Va" located east of North Ripon Road in Ripon. Bologna said he has reviewed the plans; the developer is to build boxes now and install them in the spring. No District contribution is required for the 2,380 feet of 78" pipe or the open ditch the developer will build. Director Kamper asked if the open ditch will be fenced. The developer said he would if he is asked. Motion by Director Kamper, seconded by Director Schulz, and unanimously carried to install a six foot fence around the canal, and to accept conditionally the plans with the following conditions:

Developer shall submit improvement plans to the Engineering Department for approval and comply with all standard requirements concerning improvements to District facilities.

Developer shall convey new easements of adequate widths acceptable to District and enter into an Encroachment Agreement with the District for all proposed encroachments. 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 diversion structures.

Developer shall not build or develop in District easement until the replacement of the District's canal has occurred. No building shall occur within those lots that will be encumbered by the new canal until further development occurs east of this project resulting in the further relocation of the Lateral "V".

Except as otherwise approved, developer shall pay all costs associated with replacement of District facilities without contribution by District.

Developer shall insure 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.

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 15th. A daily damage charge applies thereafter until the work is accepted.

Consider approval of development for Valley Light Industrial to connect to Lateral "Za"dd with a storm drainage discharge line. Bologna said the City of Manteca is requiring the developer to put in a retention pond. Developer will run a pipe under Yosemite Avenue to a line that runs into the FCOC. Bologna recommends conditional approval. Motion by Director DeGroot, seconded by Director Kamper, and unanimously carried, to conditionally approve as recommended subject to conditions on the Developer Agreement which follow:

Owner/developer shall submit a full set of improvement plans (showing all proposed improvements relating to the development) to the Engineering Department for approval and comply with all standard requirements concerning installation of a discharge line into the Lateral "Za"-dd.

Owner/developer shall comply with District standards with regard to protection of the District's water line located within Yosemite Avenue and enter into an Encroachment Agreement with the District for all proposed encroachments.

Owner/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 deadline for work is typically February 15th of any given year.

Owner/developer acknowledges that acceptance of storm water for this project will be subject to the terms and conditions of the Storm Drainage Master Plan between the District and the City.

Consider awarding contract for Long Crested Weir, SSJ-2006-5. Gilton said we received one bid from Cunningham & Sons, Inc. for \$86,000. Gilton recommends awarding the contract to Cunningham & Sons, Inc, for \$86,000 with a \$4,300 contingency. Motion by Director DeGroot, seconded Director Schulz, and unanimously carried to approve as recommended.

Consider awarding contract for Trestle Replacement, SSJ-2006-6. Gilton said received three bids, Beck's Enterprises was the low bidder at \$151,556.34. Gilton recommends awarding the contract to Beck's Enterprises at \$151,556.34 plus a contingency of \$7,577.81. Motion by Director Schulz, seconded by Director Kamper, and unanimously carried to approve as recommended.

Consider approving purchase of Save Mart Gift Certificates. Director Schulz asked the Board to consider giving a cash bonus to all employees in the District. He said during his campaign he walked his division and got nothing but compliments on the employees at the District, including in particular, one water department and one office employee. He also thanked the employees for their continued patience while the Board works through the salary comparison survey, a process started 9 months ago when many employees attended a Board meeting asking for a salary review. He went on to say since that time, employees have shown their loyalty to the District, have been respectful and have been doing their jobs. In addition, we cannot continue to ask more of the employees without showing something in return, and next year will prove to be a very busy year for the District. The District can afford the one-time payment as we will be adding to the reserves this year. He said we helped the farmers a couple of years ago by waiving fees, it is time we did something special for our employees, so he recommends a \$1,000 bonus to each employee. When asked if this was okay to act on at this meeting, General Counsel Emrick said a year-end gift in no particular amount is on the agenda and you are basically increasing the standard \$50 certificate to \$1,000 cash and he sees no problem in this. When asked if we should make it \$500 Director Kamper said he agrees with Director Schulz that it should be \$1,000 and if Director Schulz makes it a motion, he will second it. Motion by Schulz, seconded by Kamper, and unanimously carried to give each employee a \$1,000 on December 8, 2006.

Vice President Kuil asked for Manager's reports:

Stroud reported the following:

- We will receive a \$24,577.86 credit against our next bill from Rural Special Districts Insurance Services, our Liability and Property Insurance Carrier.
- At the Northwest Side reservoir, thieves broke in and stripped copper wires at around 2:00 PM yesterday, November 13, 2006. Frank Avila found that power at the site was cut from the SCADA.
- Thursday, November 16, 2006 is the Tri-Dam meeting here.
- Relative to the December 26 2006 board meeting, he recommends we cancel it. Board agreed. If an urgent matter arises, the Board can call a special meeting.

- Relative to winter maintenance; started shotcrete on the R line yesterday. The Lateral “A” pipe project should be completed by December 1st. Should start on the Lateral “U” around the 4th of December. The contractor on Lateral “B” has completed approximately 60% of pipe removal and over 45% of pipe replacement. Road crossings are complete.
- Met with SEWD and others relative to our water sale agreement with OID/SSJID. They want to double the amount purchased from 30,000 to 60,000 acre feet.
- Relative to the WTP, the Operating Committee approved a pilot plant for developing a cleaning strategy on the membranes. Best option for electric service is still MID. The construction account will end up approximately \$200,000 short. The Operating Committee has asked that we loan the money to them. The cities are not interested in getting into the bottled water business at the WTP; cost to initiate would be 7 to 10 million dollars.

Jeff Shields gave his report:

- Said the newsletter which was previously done by the temp we hired is now being done by Dawn, with assistance from other staff members including me.
- Judge in the LAFCo case has not ruled on PG&E intervening.
- Working with the WTP on problems they are having with power at the plant and the Tracy Pumping Plant.
- Passed around a letter he sent to legislators who are investigating PG&E methods to defeat SMUD, supporting their investigation.

Vice President Kuil asked the Board to go to closed session. General Counsel Emrick said we will discuss the following items in closed session:

Conference with legal counsel, re anticipated litigation, initiation of litigation, Gov. Code, S. 54956.9 (c). Two cases.

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

SSJID v. LAFCo, Superior Court-San Joaquin County, Case No. CV 030255.

Jacob Her, et al., v Yang Her, et al., Superior Court, San Joaquin County, Case No. 029260.

SSJID v. Meridian Pacific, et al., Superior Court, San Joaquin County, Case No. CV 03085.

Deltakeeper v. SSJID, Superior Court for Sacramento County Superior Court Case No. 04CS00228.

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

There being no further business to come before the Board, it was moved by Director Schulz, seconded by Director DeGroot, and unanimously carried, to adjourn to November 28, 2006 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary