

Manteca, California  
December 9, 2003

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:        KAMPER        SCHULZ        ROOS        KUIL  
ABSENT:            DEGROOT

Also present were Secretary/Manager Stroud, District Counsel Emrick, 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 \$395,815.94 and payrolls of \$127,876.95.
- B.     Regular Adjourned Board Meeting Minutes of November 25, 2003.
- C.     Adoption of Resolution 03-20-P authorizing the conveyance by quit-claim of easement for a portion of Lateral "Bkf" located on Carrolton Road within the St. John's Cemetery property.

#### **SOUTH SAN JOAQUIN IRRIGATION DISTRICT RESOLUTION NO. 03- 20 -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 **■Bkf●** which burdens a portion of Section 34, Township 1 South, Range 8 East, Mount Diablo Base and Meridian, situated in the vicinity of the City of Escalon, County of San Joaquin, State of California, (**■Easement●**), being more specifically described as follows:

A 30 (thirty) foot wide strip of land located within the Southeast quarter of Section 34 (thirty-four), Township 1 (one) South, Range 8 (eight) East, Mount Diablo Base and Meridian, and more particularly described as follows:

Commencing at the Northeast corner of Parcel 2 (two) as shown on that certain map entitled **■General Dedication Map of St. John's Cemetery Roman Catholic Bishop of Stockton●**, recorded the 10<sup>th</sup> day of December 1982, in Book 26 (twenty-six) of Maps and Plats at Page 60 (sixty), (said recording shown as **■Book 26 of Maps, Map No. 60●**), San Joaquin County Records, said Northeast corner being on the East line of said Southeast quarter; thence along the North line of said Parcel 2, North 89°25' 30" West, a distance of 320.95 feet; thence South 0°02' West 30 feet to the True Point of Beginning; thence for the centerline of a 30 foot wide strip of land, continuing South 0°02' West 611.60 feet; thence running parallel with the South line of said Parcel 2, North 89°48' West 956.26 feet to the point of termination lying 45 feet East, more or less, of the West line of Parcel 1 of the aforementioned map.

Excluding therefrom any portion of the above described strip of land which may intersect that portion of easement conveyed to District by Instrument No. 2002-224498 recorded in San Joaquin County Records on December 12, 2002.

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

APN 205-070-22, 24, 25, 26 & 27

**WHEREAS**, it is in the best interest of the District that a portion of the afore-described easement be quitclaim deeded to the owners of the underlying property, Roman Catholic Bishop of Stockton, hereinafter referred to as "Owner", and

**WHEREAS**, the easement is no longer utilized for irrigation and drainage purposes, and the pipeline formerly in the easement has been transferred to Owner in accordance with the terms and conditions of a Transfer Agreement between the District and Owner dated September 26, 2002, and

**WHEREAS**, it is in the best interest of the District that the portion of the Easement burdening the Subject Property be quitclaim deeded to said Owner, and

**WHEREAS** the pipeline that was located within said easement is no longer utilized for irrigation and drainage purposes, and

**WHEREAS**, the abandonment and removal of said pipeline has relieved the District of its responsibility to maintain said pipeline, and

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

1. The pipeline has been transferred to Owner on terms contained in a Transfer Agreement approved by District, and
2. The District's interest in the Subject Property proposed to be quitclaim deeded is no longer necessary for District purposes,
3. The property 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 Property 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 said Owner disposing of the District's Easement interest in the Subject Property.

Motion by Roos, seconded by Kuil, to approved the Consent Calendar Items as presented:

**PASSED AND ADOPTED** this 9th day of December 2003 by the following roll call vote:

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

Authorize approval of improvement plans for realignment of a portion of Lateral "U" within the future Spring Creek Meadows II Development in Ripon. Bologna told the Board this development impacts both Laterals "U" and "V". He said on the "U" 650 feet of 48 inch will be replaced with approximately 573 feet of 54" RGRCP and 391 feet of 48" RGRCP. Our reimbursement will be on the 650 feet @ \$28.50 or \$18,825. On Lateral "V" the developer will pay the District \$94,280 for the future cost of replacing the line. Bologna recommends the Board approve and authorize signature of the following to compliance with special conditions and requirements referenced in Item 12 of the Developers Agreement: 1. Final Map (will be submitted at time of submittal of subdivision plans). 2. Improvement Plans (Pertain only to the replacement of Lateral "U". Additional plans will be submitted for approval of the remaining portion of the Spring Creek Meadows II development). 3. Developers Agreement. 4. Irrigation Service Abandonment Agreement. 5. Easement quitclaim (after all obligations are satisfied) 6. Grant of Easements. 7 Encroachment Agreement. **Motion by Roos, seconded by Kamper, and unanimously carried, to approve the Spring Creek Meadows II Development and authorize execution of all necessary documents subject to requirements in Item 12 of the Developers Agreement.**

Authorize approval of Improvement Plans for the replacement of a portion of Lateral "X" within the Jasmine Hollow Unit #2 Development in Manteca. Bologna told the Board the X line serves approximately 530 acres. The existing 42" cast-in-place line will be replaced with approximately 1,300 feet of new 42" RGRCP. Our cost will be 1,300 X \$24.00 per foot, \$32,200 approximately. Bologna recommends approving the following and authorizing

execution of all documents subject to compliance with those special conditions and requirements referenced in item #12 of the Developers Agreement. 1. Final Map. 2. Improvement Plans. 3. Developers Agreement. 4. Irrigation Service Abandonment Agreement. 5. Encroachment Agreement. 6. Grant of Easement. **Motion by Kamper, seconded by Kuil, and unanimously carried, to approve the Jasmine Hollow Unit #2 Development and authorize execution of all necessary documents subject to requirements in item 12 of the Developers Agreement.**

Approve Encroachment Agreement with Banta Carbona Irrigation District (BCID) and authorize the General Manager to execute agreements. Emrick said the Water Treatment Project pipeline goes through the same easement that BCID uses. He recommends approving the encroachment agreements with BCID and authorizing the General Manager to execute same. **Motion by Kuil, seconded by Roos, and unanimously carried, to approve the Encroachment Agreements and authorize execution of same.**

Presentation by Chad Bennett of AFLAC Insurance Services. Mr. Bennett told the Board that AFLAC offers a pre-tax program which gives the employees at the District the option of paying premiums and medical, dental, vision, and prescriptions that are not paid by the insurance with pre-tax dollars. In other words the employee sets an amount, it is taken out of their check, and no taxes are charged on that amount, saving the employee a minimum of 20%. The District in turn will save the FICA amount of 7.65%. Also, employees who use Day Care can set up to \$5,000 in pre-tax dollars for day care. Cost to the District is a one time \$450 fee and \$120 per year to have a separate bank account. Risks the District is exposed to are early withdrawal. In other words if an employee sets a pre-tax amount of \$1,200, and in the third month pays a bill for \$1,000 the District would have to fund the difference. Also, if an employee leaves the District for any reason, and has taken out more than they have deposited, the District would have to make up the difference. If we decide to use the AFLAC services, the District needs to decide if there are funds at the end of the year if we are going to keep them or divide them up among the participants. After discussion the following action was taken. **Motion by Kamper, seconded by Roos, and unanimously carried, to authorize the District's employees to participate in the AFLAC Plan. Authorize the payment of a \$450 fee to AFLAC, and authorize staff to open a bank account for the Plan. To set February 1, 2004 as the start date for the plan.**

General Manager's reports:

Stroud reported the following:

Relative to Magnacide Use and the Environmental Review, we are working through the River Group Authority.

Relative to the AG Waiver the State Board is going to hold a workshop on either January 6th or 7th, 2004. They intend to make a decision around the end of January 2004.

The FCOC Crossing on Yosemite Avenue is scheduled to be finished by the middle of January 2004.

Relative to crushed concrete pipe we are looking at options for crushing and disposal.

Relative to the East Portal Tunnel on the Joint Supply Canal we started today stabilizing it.

On December 17, 2003 the San Joaquin County Coalition on the AG Waiver is meeting.

On December 19, 2003 there is a Tri-Dam Committee meeting at 2:00 p.m.

Relative to the old Boom Truck, we are attempting to sell it. No luck thus far.

While at the ACWA Conference in San Diego we met with the USBR relative to merging the State and Federal Water Projects. Our group emphasized that without an operable barrier litigation is likely.

Relative to the Ram Pump on the Joint Supply Canal in order to get materials and supplies to repair it we will need to rent a helicopter to fly them in. Cost is approximately \$1,600 per hour, with a maximum of 2 hours.

Pipe is currently being laid by the contractor on the I line.

Relative to the damages suffered on the Northwest SIDE Project last summer, we billed Northern Digital \$30,000. All repairs have been made.

Stroud passed out the 2004-2013 draft budgets. He told the Board that the request to approve the budgets will be on the December 23, 2004 agenda.

Directors' reports:

Kamper asked about the fence on the Conte Property above Woodward Reservoir. Stroud said Black and Veatch are meeting with the property owners in an attempt to address their concerns.

Schulz said he received several calls relative to the Sump Program Letters recently mailed. Gilton told the Board to have any questions directed to him. He will investigate each one individually and make a decision as to the status of each on a case-by-case basis.

President Schulz called for closed session relative to litigation matters, personnel matters, and labor update. General Counsel Emrick said the Board will discuss items a, c, and d, in closed session.

- a) Conference with legal counsel, existing litigation, Gov. Code, S. 54956.8. Eight Cases.
- c) Conference with legal counsel, anticipated litigation, significant exposure. Gov. Code, S. 54956.9 (b) Two Cases.
- d) Conference with real property negotiators. Property: Stanislaus County APN 002-08-5 and 002-210-48. Negotiating parties: Steve Emrick and Grant Kreinberg for the District and Lloyd Prothers for property owners.  
Under Negotiation: Price.

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 Roos, seconded by Kuil, and unanimously carried to adjourn to December 23, 2003 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary