

Manteca, California  
December 9, 2008

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:

DIRECTOR:   HOLBROOK   KAMPER   KUIL   SCHULZ   ROOS

Also present were Secretary/Manager Shields, District Counsel Emrick, Communications Coordinator Saylor, Utility Systems Director Battles, Telemetry Systems Supervisor Avila, WTP Manager Hubkey, Finance Supervisor Giuntoli, and Engineering Department Manager Bologna.

President Kuil called for public comment. There being none he asked the Board to consider approving the Consent Calendar Items as presented.

#### CONSENT CALENDAR

- A.   SSJID Warrants \$1,402,204.94, Wires \$294,870.38 and Payrolls of \$293,140.19.
- B.   SSJID Minutes of November 11, 2008 and Special Board Meeting Minutes of November 18, 2008.
- C.   Adopt Resolution 08-24-L Employer Paid Member Contributions for General Unit Employees, 08-25-L Employer Paid Member Contributions for Management Unit Employees and 8-26-L for Employer Pick-up.

#### SOUTH SAN JOAQUIN IRRIGATION DISTRICT RESOLUTION 08-24-L EMPLOYER PAID MEMBER CONTRIBUTIONS FOR GENERAL UNIT EMPLOYEES

WHEREAS, the governing body of the South San Joaquin Irrigation District has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the South San Joaquin Irrigation District has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the South San Joaquin Irrigation District of a Resolution to memorialize its payment of Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the South San Joaquin Irrigation District has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of the IBEW and all other employees subject to the MOU between the IBEW and the District.
- This benefit shall consist of the District paying 4/7<sup>th</sup> of the normal member contributions as EPMC, with the employee to pay 3/7<sup>th</sup> of the required employee contributions through payroll deductions

NOW THEREFORE, BE IT RESOLVED that the governing body of the South San Joaquin Irrigation District elects to pay EPMC, as set forth above.

PASSED AND ADOPTED this 9<sup>th</sup> day of December, 2008

SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION 08-25-L  
EMPLOYER PAID MEMBER CONTRIBUTIONS  
FOR MANAGEMENT UNIT EMPLOYEES

WHEREAS, the governing body of the South San Joaquin Irrigation District has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the South San Joaquin Irrigation District has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the South San Joaquin Irrigation District of a Resolution to memorialize its payment of Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the South San Joaquin Irrigation District has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees of the Management Unit and all other employees subject to the MOU between the Management Unit and the District.
- This benefit shall consist of the District paying all of the normal member contributions as EPMC.

NOW THEREFORE, BE IT RESOLVED that the governing body of the South San Joaquin Irrigation District elects to pay EPMC, as set forth above.

PASSED AND ADOPTED this 9<sup>th</sup> day of December, 2008

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SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION 08-26-L FOR EMPLOYER PICK-UP

WHEREAS, the South San Joaquin Irrigation District has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution regarding section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

WHEREAS, the South San Joaquin Irrigation District has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System:

NOW, THEREFORE, BE IT RESOLVED:

I. That the South San Joaquin Irrigation District will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement system which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.

II. That the contributions made by the South San Joaquin Irrigation District to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the South San Joaquin Irrigation District in lieu of contributions by the employees who are members of the Public Employees' Retirement System.

III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the South San Joaquin Irrigation District to the Public Employees' Retirement System.

IV. That the South San Joaquin Irrigation District shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

V. That the amount of the contributions designated as employee contributions and paid by the South San Joaquin Irrigation District to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code sections 20000, et seq.).

VI. That the contributions designated as employee contributions made by South San Joaquin Irrigation District to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

PASSED AND ADOPTED this 9<sup>th</sup> day of December, 2008

- D. Accept Transfer Agreement for pipeline on Lateral "B" to Noel Negley.
- E. Adopt Resolution 08-27-F, Updating bank signature cards for Union Bank of California.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION 08-27-F  
UPDATE SIGNATURE CARDS WITH UNION BANK OF CALIFORNIA**

WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT (District) must update its signature cards with its financial institutions.

RESOLVED, that any one of the following named officers,

Dave Kamper  
Robert Schulz  
Dale Kuil  
Ralph Roos  
John Holbrook

and one of the following named District staff,

Jeffrey Shields, General Manager/Secretary  
John Stein, Assistant General Manager/Assistant Secretary  
Robin Giuntoli, Finance Supervisor

are authorized to co-sign checks, drafts or other orders for and on behalf of the District from the bank designated as the District's Business Checking Account.

RESOLVED FURTHER, that any one of the above noted staff is authorized to sign PAYROLL checks, drafts, direct deposit wires or other orders for and on behalf of the District from the bank designated as the District's Business Checking Account.

Motion by Director Holbrook, seconded by Director Kamper, to approve the Consent Calendar Items as presented above.

PASSED AND ADOPTED this 9<sup>th</sup> day of December 2008 by the following roll call vote:

Ayes:	Holbrook	Kamper	Kuil	Schulz	Roos
Noes:	None				

General Secretary/Manager Shields administered the Oath of Office to Directors Holbrook, Kuil, and Kamper. No action was taken.

Update of Division 9 Project by Stantec. Shields told the Board that Stantec, along with staff met with farmers to introduce the pressurized system to them. He said he believes that in the next 50 years water deliveries will be less than in the past 100 years. Also we will be required to meter water and the cost will be much higher for water. Shields introduced Mike Persak and Casey Barkman from Stantec, and Ron Nydam from Waterford Irrigation.

Paisec said our goal was to do four things: Conserve water, electricity, chemicals, and increase crop yields. He said we looked at two pressures, 35 and 55 psi. Most farmers wanted 55 and so that is the figure we used. The project will serve about 3800 farmable acres and the initial cost estimate is \$9,000,000. The schedule calls for construction to begin in the summer of 2009 and finish by spring 2011.

Nydam said the parcels in the planned area vary in size and in crops they grow. We sized the system to deliver .32 inches per day or 2.24 inches per week base on the rate of evapotranspiration. The reservoirs at each end of the project will aid in managing spills and a constant supply of water. There will be screens at the pump to take out large trash, and farmers will be responsible for fine filtration. Directors asked how we will get water to farmers existing pumps, and what the fees will be? Nydam said these are questions that need to be determined by the Board and staff. Most of the farmers indicate they will give us easements; decision to be made is who pays to run the lines? Shields said we designed the system large enough to handle the entire zone. The system will reduce some costs, but we will need to know how and if we will recover additional costs. Director Roos said we should tie in to the farmer's pumps so we can use them in droughts. Director Kuil asked how much less the cost at 35 psi compared to 55 psi is. Nydam said the pipe at 55 psi requires 125 psi pipe, at 35psi it requires 100 psi pipe. He said with micro/drip you do not require as much pressure as solid set. Holbrook said we should look at grants to help offset costs. No action was taken.

Consider approving purchase of one Lopak Solar Powered Gate at a cost of \$32,076. Avila said this gate will keep the elevation constant, and move water quickly so that sand will move downstream instead of building up behind the weir as has been the experience with the duckbills. Director Roos asked what you do about trash and are you looking at the U line by Abeyta's home. Avila said trash goes downstream and we are looking at the R line. After discussion the following action was taken. Motion by Director Roos, seconded by Director Holbrook, and unanimously carried, to approve as requested the purchase of one Lopak Solar Powered Gate at a not to exceed cost of \$32,076.

Accept OPEB actuarial and approve funding of same. Stein said we recommend contracting with PERS to be the Trustee and prefunding the OPEB liability of \$1,167,476. Director Roos asked if we can cancel trust with PERS. Stein said he was not sure. Motion by Director Holbrook, seconded by Director Schulz, and unanimously carried, to approve PERS as the Trustee and authorize execution of necessary documents, also to prefund the OPEB liability of \$1,167,476. Additionally, staff should look at the cancellation option with PERS.

Consider authorizing staff to enter into an agreement with Marcia Fritz & Company to perform 2008 audit and controller's report. Giuntoli told the Board she called references for all three firms who submitted RFP's. She said Fritz had several clients listed and got only positive references, the other bidder whose bid was \$16,000 had fewer clients listed, and has less experience with public agencies. Giuntoli is recommending Fritz at \$17,000. Motion by Director Holbrook, seconded by Director Roos, and unanimously carried, to

authorize retaining Marcia Fritz & Company to perform the 2008 audit and authorize execution of all necessary documents.

Consider authorizing initiation of Private Structure Replacement Financing Program. Director Holbrook said he liked the idea but thinks it should be a "Pilot Program" not a permanent one. Bologna said we need to have a decision soon. Director Kuil recommended a percentage based on when the valves were last replaced. Director Kamper said give \$1,000 per valve if new valves were installed by the farmer in the last three years and restrict footage between valves to 330 feet. After further discussion the following action was taken: Motion by Director Holbrook, seconded by Director Roos, to set \$1,000 per valve replaced with a 330 foot separation on a pilot program that can be extended or terminated next year following the basic format outlined in the staff report with the exception of the financing position. The \$1,000 contribution is in lieu of the financing. Motion Carried, Ayes 3, Noes 2, with Directors Kamper and Schulz voting "No".

Consider approving agreement to relocate communication tower. Shields said the new location is okay with neighbors and the Developer who requested the move. Bologna said he recommends approval subject to the following:

- A. Developer shall sign the agreement and pay all up front costs for money already spent in addition to future costs associated with the move as specified in the Agreement.
- B. City's issuance of permit at the new location.
- C. Approval of an amendment to the agreement with Metro PCS.

Motion by Director Kamper, seconded by Director Holbrook, and unanimously carried to approve as recommended, authorize execution of all necessary agreements, and with the additional requirement that the agreements must be signed by the Developer and all monies owed by the Developer must be paid on or before March 15, 2009.

Consider approving KSN proposal to update District's legal description. We asked KSN who did the original legal description of the District's boundaries to do the portion affected by the annexation of the Boyce Property. Their fee is estimated at \$7,200 to do this. Bologna said he thinks he can get this reduced but would like a not to exceed limit of \$7,200. Motion by Director Holbrook, seconded by Director Kamper, and unanimously carried, to approve KSN to change the legal description as requested at a cost not to exceed \$7,200.

2008 District Crop Report was presented to the Board: Shields said there is no action necessary on this item and no action was taken.

San Joaquin River Authority Tipping Point Presentation. Shields said he received a video of the presentation, however it is not legible, thus he asks this item be tabled to a later date. No action was taken.

Discussion and possible action concerning proposed budget for 2009. Shields asked this item be held over until he has more time to review and make changes. No action was taken.

Directors reports on the 2008 ACWA Conference in Long Beach, CA.

Director Kamper said he attended and found interesting programs on:

- A. Security, and use of cameras, one big question asked is do you monitor or review them. Also are alarms responded to?
- B. Droughts and the effects on groundwater.
- C. The Bay Delta and the problems there.
- D. Quagga Mussels. The subject is very scary. Casitas Water District closed their reservoir to boats. It is a big problem with little chance of resolution.

Director Roos said he attended:

- A. Finance program, saying they think the State of California will not take money from LAIF.
- B. How groundwater is impacted by droughts

C. Klamath River problems which are still unresolved.

Director Schulz said in one workshop they said reallocating of Pre-1914 Water Rights will not happen, and there will be no peripheral canal.

Director Kuil said the Quagga Mussel problem is something we are going to have to do something about sooner than later.

Kamper said he talked to a vendor at ACWA who sells buoys. She said she offered to sell the current buoys and replace them with buoys that will not be damaged by waves. Hubkey said she did, however the cost was \$400,000 to \$450,000. The Cities were not interested at that price. However, Stanislaus County did offer to participate in maintenance cost of the existing buoys.

President Kuil asked Hubkey to give his report:

Hubkey reported the following:

On December 4<sup>th</sup> there was a power failure at the WTP for forty minutes. One piece of equipment was lost which cost about \$1,350.

California Public Health Department is requiring a study on recycled water. The tests will have to be done at an accredited lab.

We expect both employees who are off due to injury/illness will return this month.

The main power feed distribution area of the plant is under construction to accommodate the additional solar panels power output.

Shields reported the following:

Elevations in the States reservoirs are low. For example, San Luis Reservoir holds 2,000,000 acre feet; currently it has 270,000 acre feet.

Shields said the float was a success in the Manteca's Christmas Parade Saturday. He thanked those who helped.

Sayler said the float was great. Additionally she said we delivered 49 coats for News 10 sponsored Coats for Kids. Also, our employees and directors contributed \$1,350 to the Second Harvest Food Bank.

Shields said that the California Special Districts Association has an opening on their Board of Directors. He said he would find out the details in case anyone is interested.

Reported that Emrick and Shields met with Stockton City officials regarding our water contract at the ACWA conference.

Director Holbrook asked about the Marin County Board of Supervisors stating they want to do all 240 MW of power in the County green. Shields said PG&E has spent a lot of money fighting this.

There being no further business to come before the Board it was moved by Director Schulz, seconded by Director Roos, and unanimously carried, to adjourn to December 23, 2008 at 9:00 a.m.

ATTEST:

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John Stein, Assistant Secretary