

Manteca, California
December 26, 2000

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: DEGROOT HAWORTH KAMPER ROOS SCHULZ

Also present were Secretary/Manager Martin and Attorney Emrick.

President Roos 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 follows:

CONSENT CALENDAR

- A. Warrants of \$293,148.96.
- B. Regular Board Meeting Minutes of December 12, 2000. Correction on page 2, 4th paragraph, after seminars insert: “research, and other legal expenses”.
- C. Acceptance of improvements related to the replacement of a portion of Lateral “R” within the Eastport Development and authorize recording of Notice of Completion for same.
- D. Authorize Encroachment Agreement with the City of Manteca for the Lincoln Avenue Waterline Project.

Motion by Kamper, seconded by Haworth, to approve the Consent Calendar items as presented with the changes made to the minutes.

PASSED AND ADOPTED this 26th day of December 2000 by the following roll call vote:

Ayes: DeGroot Haworth Kamper Roos Schulz
Noes: None

Approve Assignment of Agreement with GST to Time Warner Telecom, Inc., (Time Warner) and authorize signature on same. Emrick said GST is in bankruptcy, the court has assigned all rights and duties under our Encroachment Agreement with GST to Time Warner. Need authority for President of the Board to execute the agreement. **Motion by DeGroot, seconded by Haworth, and unanimously carried, to authorize execution of the agreement as requested. Additionally, the Board instructed General Counsel to notify Time Warner that in several areas the conduit may not be installed below District facilities as required by**

the Encroachment Agreement.

Consider purchase of a new Wacker/Compactor for the Maintenance Department. Martin said we obtained three quotes, low was United Rentals, Stockton for \$3,359.00. **Motion by Schulz, seconded by Haworth, and unanimously carried, to approve purchase from United Rentals.**

Discussion concerning status of Lateral "B" replacement project Phase V (SSJ-200-1) and related issues involving the Berberian Property located adjacent to the lateral. Martin said he needs approval of \$1,000 per riser subject to receipt of a signed agreement with the landowners.

Motion by Kamper, seconded by DeGroot, and unanimously carried, to approve as requested.

Consider continued membership in the Water Education Foundation. Martin said in order to remain as members of the Foundation we will need to send \$500 for dues. **Motion by Haworth, seconded by Kamper, and unanimously carried, to approve the \$500 for dues.**

General Manager's report:

Martin said the last day he will work is April 20, 2001.

Martin reported that the new carpet in Cheryl's, John's, his and the conference room is installed.

Martin said he will do a complete analysis of need for pumps and submit it to the Board at the next board meeting.

Martin read the following Structure Abandonment Agreement into the record:

Wine Group LTD. PTP, APN's 245-060-15 & 18, to abandon two valve installations located on Lateral "Qc".

Directors' reports:

Haworth said we need to look at the Yosemite Road crossing for the FCOC.

DeGroot asked the status of the Lathrop Road crossing of the FCOC.

Roos asked where and when is the Mid Pacific Water Conference. Martin said he would find out.

President Roos called for Closed Session relative to litigation, personnel, and labor update. Emrick said the Board will discuss items a - e in closed session.

- a) Conference with legal counsel, anticipated litigation, institution of litigation, Gov. Code, S. 54956.9 (c). Three cases.
- b) Conference with legal counsel, anticipated litigation, anticipated litigation, significant exposure to litigation, Gov. Code, S. 54956.9 (b).
- c) Conference with legal counsel, existing litigation, Stanislaus County vs. SSJID and Sierra

- Club et.al. vs. SSJID.
d) Public Employment - District Engineer.

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

There being no further business to come before the Board it was move by Kamper, seconded by Schulz, and unanimously carried, to adjourn to January 9, 2001 at 9:00 a.m.

ATTEST:

John Stein, Assistant Secretary

E:\122600.wpd