

**South San Joaquin Groundwater Sustainability Agency
Regular Meeting
Manteca, California
March 16, 2022**

The Governing Board of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) met in regular session in person at the South San Joaquin Irrigation District (SSJID) Board Room at 9:00 a.m., with public access provided via the online Zoom meeting platform. Chairman Holmes called the meeting to order at 9:05 a.m. and led the flag salute.

Upon roll-call the following members were noted present:

PRESENT: Daniel de Graaf, City of Ripon
Robert Holmes, South San Joaquin Irrigation District
Dave Kamper, South San Joaquin Irrigation District
Dominique Romo, City of Escalon
Mike Weststeyn, South San Joaquin Irrigation District

Also present were SSJID General Manager Peter Rietkerk, SSJID Water Resources Coordinator Brandon Nakagawa, and SSJID Clerk of the Board Danielle Barney.

Public Comment – None

ACTION CALENDAR

Item #1 – Approval of the Meeting Minutes of January 19, 2022

MOTION: A motion was made by Director de Graaf and seconded by Director Kamper to approve the minutes as submitted.

The motion passed 5 to 0 by the following vote:

AYES: de GRAAF HOLMES KAMPER ROMO WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #2 – Consider Adoption of Resolution 22-03-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency

MOTION: A motion was made by Director Weststeyn and seconded by Director de Graaf to adopt Resolution 22-03-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency.

**SOUTH SAN JOAQUIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION No. 22-03-Y**

**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS
DURING A PROCLAIMED STATE OF EMERGENCY**

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings; and

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so; and

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the Board of Directors of the South San Joaquin Groundwater Sustainability Agency hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The Board of Directors of the South San Joaquin Groundwater Sustainability Agency finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency; and
 - b. State or local officials have imposed or recommended measures to promote social distancing.
3. District staff is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
4. That this Resolution shall take effect **April 20, 2022** and shall remain in effect for thirty (30) days thereafter (until May 20, 2022), provided the conditions set forth in Section 2 remain.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Groundwater Sustainability Agency this 16th day of March, 2022, by the following vote:

AYES: de GRAAF HOLMES ROMO
NOES: KAMPER WESTSTEYN
ABSTAIN: NONE
ABSENT: NONE

Item #3 – Discuss and Approve Board Appointment of SSJGSA Treasurer

Mr. Bere Lindley, SSJGSA Treasurer and SSJID Assistant General Manager, addressed the Board regarding his upcoming retirement, effective April 2, 2022, and required appointment of a replacement for SSJGSA Treasurer. Mr. Lindley recommended Ms. Sarah Bloom, SSJID Interim Finance and Administration Manager as his replacement and appointment as SSJGSA Treasurer. Ms. Bloom’s appointment would be effective immediately, and stay in effect until the hiring of an SSJID Finance and Administration Manager.

Board discussion included congratulations to Mr. Lindley on his upcoming retirement, and to Ms. Bloom on her appointment.

MOTION: A motion was made by Director de Graaf and seconded by Director Romo to appoint Ms. Sarah Bloom, SSJID Interim Finance and Administration Manager, as the SSJGSA Treasurer.

The motion passed 5 to 0 by the following vote:

AYES: de GRAAF HOLMES KAMPER ROMO WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #4 – Consider Adoption of the Resolution 22-02-F Update Signature Card with Financial Institution

Ms. Bloom thanked the Board for the appointment as SSJGSA Treasurer. She addressed the necessity to update the signature card with the financial institution for the SSJGSA due to the retirement of Ms. Robin Giuntoli, former SSJID Accounting and Customer Service Manager, in November 2021, and upcoming retirement of Mr. Lindley. Board approval will remove Mr. Lindley and Ms. Giuntoli as signatories, and add Ms. Bloom as a signatory to co-sign checks, drafts, and other orders for and on behalf of the SSJGSA.

MOTION: A motion was made by Director Weststeyn and seconded by Director de Graaf to adopt Resolution 22-02-F Update Signature Card with Financial Institution.

**SOUTH SAN JOAQUIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION NO. 22-02-F**

**UPDATE SIGNATURE CARD WITH FINANCIAL INSTITUTIONS
TO BE EFFECTIVE MARCH 16, 2022**

WHEREAS, Bere Lindley has resigned from the officer position of Treasurer, and

WHEREAS, Robin Giuntoli has retired from the position of South San Joaquin Irrigation District Accounting & Customer Service Manager, and

WHEREAS, Sarah Bloom has been appointed to the officer position of Treasurer, and

WHEREAS, the South San Joaquin Groundwater Sustainability Agency (SSJGSA) must update its signature cards with its financial institutions.

THEREFORE, BE IT RESOLVED, that any one of the following named officers of the SSJGSA,

Robert Holmes, Chairman
Daniel DeGraaf, Vice-chair

and any one of the following named officers or staff,

Peter M. Rietkerk, Administrator
Sarah Bloom, Treasurer

are authorized to co-sign checks, drafts, and other orders for and on behalf of the SSJGSA.

BE IT FURTHER RESOLVED, that Sarah Bloom, Treasurer, is hereby authorized to conduct all other banking related transactions related to carrying out the duties of the Treasurer of the SSJGSA.

PASSED AND ADOPTED this 16th day of March 2022 by the following roll call vote:

AYES: de GRAAF HOLMES KAMPER ROMO WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #5 – Discuss and Consider Authorization to Seek Proposal for Audit Services

Ms. Bloom addressed the Board regarding the SSJGSA Joint Exercise of Powers Agreement (JPA) Establishing the SSJGSA as a Joint Powers Authority, Section 5, Article 10, requiring an annual audit of records and accounts of the Agency in accordance with the provisions of Government Code Section 6505. Staff obtained a preliminary sole proposal from Brown Armstrong Accountancy Corporation (Brown Armstrong) based upon factors including efficiency of time and cost; the firm’s familiarity with the SSJGSA in their current position as auditor for SSJID; and the ability to perform the SSJGSA audit while conducting field work for the SSJID annual audit in April 2022.

Ms. Bloom provided background of Brown Armstrong, and commented on the positive experience working with the firm during SSJID audits. The preliminary proposal for audit services for the SSJGSA is estimated up to \$6,000, which is currently not allocated in the 2022 SSJGSA budget. Ms. Bloom noted that the \$6,000 can be moved from the Consultants category in the SSJGSA budget, and that a budget amendment will be presented to the Board at the next regular board meeting.

Staff requested Board authorization to finalize an agreement with Brown Armstrong to conduct the audit for the SSJGSA, which will include years 2020 and 2021; and do all things necessary to move forward to engage Brown Armstrong in the audit services.

MOTION: A motion was made by Director de Graaf and seconded by Director Romo to authorize staff to finalize an agreement with Brown Armstrong Accountancy Corporation to conduct the audit for the

SSJGSA, and do all things necessary to move forward to engage Brown Armstrong Accountancy Corporation in the audit services.

The motion passed 5 to 0 by the following vote:

AYES: de GRAAF HOLMES KAMPER ROMO WESTSTEYN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

COMMUNICATIONS

Item #6 – Various Reports to the Governing Board:

a) Staff and Consultant Updates

- Mr. Brandon Nakagawa, SSJGSA Secretary and SSJID Water Resources Coordinator, announced the Eastern San Joaquin Groundwater Authority (ESJGWA) Technical Advisory Committee (TAC) meeting on March 17.
- A sub-committee, consisting of Mr. Scot Moody, Stockton East Water District (SEWD) General Manager; Mr. Eric Thorburn, Oakdale Irrigation District (OID) Water Operations Manager; Mr. Matt Zidar, San Joaquin County (SJC) Water Resources Manager; and Mr. Nakagawa, will hold a meeting to discuss responses to the California Department of Water Resources' (DWR) comments on the ESJGWA Groundwater Sustainability Plan (GSP). Should revisions to GSP policies be necessary, Chairman Holmes, Mr. Nakagawa, and Ms. Valerie Kincaid, Special SSJGSA Counsel, will have a seat on that sub-committee as representative(s) of the SSJGSA. Any revisions to the GSP must also include public notice, public comment period, and a public hearing.
- Mr. Nakagawa noted the California Environmental Quality Act (CEQA) Discretionary Well Permitting and Management Program and recent findings regarding a ranch expansion in Stanislaus County. SJC is asking the ESJGWA member agencies for their input on the issue as representatives of their Groundwater Sustainability Agencies (GSAs).
- Mr. Nakagawa noted a recent water transfer between SSJID, OID and SEWD to deliver up to 30,000 acre-feet (AF) of water to SEWD, including up to 15,000 AF from OID and 15,000 AF from SSJID, at \$225 per AF for municipal and industrial (M&I) water and \$125 per AF for ag water. The purchase may be used for M&I purposes within SEWD boundaries and limited irrigation purposes outside of its boundaries. The transfer request was due to the Bureau of Reclamation's announcement of a zero-water allocation for irrigation districts across the Central Valley. Mr. Nakagawa will ensure that the water transfer is noted on the Sustainable Groundwater Management Act (SGMA) ESJGWA annual report.

b) Technical Advisory Committee None

- c) **Member Reports**
None
- d) **Correspondence**
None

CLOSED SESSION

Item #7 – Closed Session

- a) Conference with Legal Counsel – Existing Litigation
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
- 1 case

California Sportfishing Protection Alliance v. Eastern San Joaquin Groundwater Authority et al.
Superior Court of Stanislaus County
Case No. CV-20-001720

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:
There were no reportable actions taken in closed session.

ADJOURNMENT

Item #8 – Adjournment

There being no further business to discuss, the meeting was adjourned at 9:30 a.m.

ATTEST:

Danielle Barney, Clerk of the Board