

**South San Joaquin Groundwater Sustainability Agency
Regular Meeting
Manteca, California
April 21, 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 1:00 p.m., with public access provided via the online Zoom meeting platform. Chairman Holmes called the meeting to order at 1:11 p.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, Special SSJGSA Counsel Valerie Kincaid (via Zoom), and SSJID Clerk of the Board Danielle Barney.

Public Comment – None

Chairman Holmes announced that Item #8 – Closed Session will be moved up as the first item on the agenda.

The Board convened to Closed Session at 1:12 p.m.

CLOSED SESSION

Item #8 – Closed Session

- a) Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9

- b) 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

RETURN TO OPEN SESSION

The Board reconvened to Open Session at 2:25 p.m.

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

ACTION CALENDAR

Item #1 – Approval of the Meeting Minutes of March 16, 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 22-04-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency

MOTION: A motion was made by Director Kamper and seconded by Director Weststeyn to adopt Resolution 22-04-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency.

**SOUTH SAN JOAQUIN GROUNDWATER SUSTAINABILITY AGENCY
RESOLUTION No. 22-04-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 **May 20, 2022** and shall remain in effect for thirty (30) days thereafter (until June 19, 2022), provided the conditions set forth in Section 2 remain.
5. This Resolution repeals and replaces Resolution 22-03-Y.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Groundwater Sustainability Agency this 21st day of April, 2022, by the following vote:

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

Item #3 – Receive Quarterly Presentation of YTD Financials Through March 2022

Ms. Sarah Bloom, SSJGSA Treasurer and SSJID Interim Finance and Administration Manager, addressed the Board and noted an engagement letter from Brown Armstrong Accountancy Corporation (Brown Armstrong), received on April 20, 2022, to provide audit services to the SSJGSA Joint Powers Authority (JPA) for the years ended December 31, 2021 and 2020. Ms. Bloom stated that she and Chairman Holmes would sign the engagement letter authorizing Brown Armstrong to proceed with the SSJGSA audit. Brown Armstrong was on site conducting the annual audit for the SSJID.

Ms. Bloom distributed a handout titled South San Joaquin Groundwater Sustainability Agency Financial Statements March 31, 2022. She provided detailed descriptions of the balance sheets, bank reconciliation, statement of changes in net position, statements of members’ capital, and a summary of the 2022 SSJGSA budget including amendments. Ms. Bloom added that the 2022 budget lists an allocation for staff time for work provided to the SSJGSA by the currently vacant SSJID Finance and

Administration Manager's position, and the invoices for 1st quarter member contributions had just been mailed.

Item #4 – Consider Approval of Amendment to the 2022 Annual SSJGSA Budget for Financial Audit Support Services in the Amount of \$6,000

Mr. Brandon Nakagawa, SSJGSA Secretary and SSJID Water Resources Coordinator, addressed the Board and explained that a \$6,000 amendment to the 2022 annual SSJGSA budget was for Brown Armstrong to provide audit services for the SSJGSA JPA, for the fiscal years ended December 31, 2021 and 2020. He further explained that the monies will be transferred from funds initially allocated to Technical Consultants and that the total budgeted expenses for the year 2022 would remain the same as originally adopted, \$244,900.

MOTION: A motion was made by Director de Graaf and seconded by Director Romo to approve the amendment to the 2022 annual SSJGSA budget for Financial Audit Support Services in the amount of \$6,000.

The motion passed 5 to 0 by the following vote:

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

Item #5 – Discussion on 2022 Drought Conditions

Mr. Nakagawa provided the Board with a hydrology update per the Department of Water Resources (DWR) Bulletin 120 dated April 19, 2022. He reported projected unimpaired runoff in the Stanislaus River is anticipated to be approximately 550,000 acre-feet (AF) which will be divided 50/50 with Oakdale Irrigation District (OID) and SSJID's share being 275,000 AF, and that SSJID would be able to meet the demands of its agricultural and urban customers via the Nick C. DeGroot Water Treatment Plant (WTP). The projections have also supported a recently approved water transfer to Stockton East Water District (SEWD) totaling 30,000 AF divided 50/50 with OID.

Mr. Nakagawa explained that the SSJGSA will benefit from the water transfer with SEWD because groundwater would have been pumped to meet demands since SEWD is receiving zero from New Melones this year. He emphasized that despite what looks like a surplus of water, remaining vigilant about water usage, including voluntary conservation efforts and managing groundwater supplies conjunctively with surface water, may be the key to getting through another dry year should the drought persist. Any conserved supplies this year would go into the SSJID/OID conservation account in New Melones and would be available to offset potential drought impacts next year.

Item #6 – Discussion and Possible Action on Eastern San Joaquin Groundwater Authority Business

Mr. Nakagawa addressed the Board, noted a calendar matrix of SGMA related meetings from January 19 through April 14, 2022 and detailed discussion and/or action taken at the ESJGWA Technical Advisory Committee (TAC), the SGMA Ad-Hoc, the ESJGWA Board, and ESJGWA TAC/Legal meetings listed.

Mr. Nakagawa reported that the EWJGWA will be making revisions to the Groundwater Sustainability Plan (GSP) in April and May, based on DWR's comments of the original GSP submitted. He stated that consideration is being given to holding the SSJGSA board meetings on a quarterly basis unless the regularly-scheduled meeting is deemed necessary.

Board discussion included the timeline to adopt the revised GSP, to which Mr. Nakagawa responded that the process includes a 90-day public notice regarding re-adoption of the GSP, posting of the revised GSP, and a public comment period to end by July 17-18. The deadline to submit the revised GSP to DWR is July 29.

COMMUNICATIONS

Item #7 – Various Reports to the Governing Board:

- a) **Staff and Consultant Updates**
None
- b) **Technical Advisory Committee**
None
- c) **Member Reports**
None
- d) **Correspondence**
None

ADJOURNMENT

Item #9 – Adjournment

There being no further business to discuss, the meeting was adjourned at 2:44 p.m.

ATTEST:

Danielle Barney, Clerk of the Board