

**MINUTES FOR THE JANUARY 25, 2022  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District (SSJID) met in person in regular session in the District Boardroom at 9:00 a.m., with public access provided via the online Zoom meeting platform. Director Holmes called the meeting to order and led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS:           HOLBROOK (via Zoom) HOLMES KAMPER SPYKSMA WESTSTEYN  
ABSENT:             NONE

Also present were General Manager, Peter M. Rietkerk; General Counsel, Mia Brown; Engineering Department Manager, Forrest Killingsworth; and Clerk of the Board, Danielle Barney.

**Public Comment** – None

**CONSENT CALENDAR**

- A. Approval of Checks in the amount of \$446,755.17; Accounts Payable Wires in the amount of \$211,231.35; and Payroll dated January 14, 2022 in the amount of \$227,018.01, and January 20, 2022 in the amount of \$1,038.11.
- B. Approval of the Regular Board Meeting Minutes of January 11, 2022
- C. Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 249-080-13
- D. Approval of Easement and Encroachment Permit, APN 223-074-02

**MOTION:** A motion was made by Director Weststeyn and seconded by Director Spyksma to approve the Consent Calendar as submitted.

The motion passed 5 to 0 by the following vote:

AYES:           HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**COMMUNICATIONS**

**Item #1 – Directors’ Reports**

Director Holbrook reported that he attended the San Joaquin County (SJC) Advisory Water Commission (AWC) meeting on January 19, via remote access. Discussion topics included funds available for water-related projects throughout the county, and the SJC’s intent to organize a group to assist in prioritizing projects and prepare for presentation to the SJC Board of Supervisors.

Director Holbrook reported that he attended the SSJID Public Relations Committee meeting via remote access on January 25, prior to the board meeting. He opined it was a good meeting discussing the Request for Proposals (RFP) for Communications and Public Relations Services.

Director Spyksma commented on SSJID’s Employee Appreciation Week, held January 24 through January 28. He expressed appreciation for staff and their high quality of work, and noted the well-run operation of the District.

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Director Kamper stated that he recently bumped into Mr. Derek Adams, former SSJID Automotive/Equipment Mechanic, who had recently left the District to relocate to Idaho. He added that Mr. Adams commented of SSJID being the best place to work and that leaving his job is one regret of the move.

Director Weststeyn reported that he attended the South San Joaquin Groundwater Sustainability Agency (SSJGSA) Board meeting on January 19. Topics included approval of the SSJGSA 2022 budget.

Director Weststeyn reported that he met with Ms. Katie Patterson, SSJID Public and Government Relations Manager. Discussion included a variety of current and upcoming public relations topics.

Director Weststeyn reported that he attended the SSJID Public Relations Committee meeting on January 25. He stated that the draft RFP is nearly finalized and the RFP process is progressing.

Director Holmes reported that he attended the following meetings:

- Eastern San Joaquin Groundwater Authority (ESJGWA) Steering Committee meeting on January 12 via remote access
- SSJGSA Board meeting on January 19

Director Holmes recognized SSJID's Employee Appreciation Week, commended staff on their efforts to provide excellent service to its customers and local communities, and acknowledged the Years of Service Award recipients. He looks forward to in-person District events again, once COVID restrictions are lifted.

**Item #2 – Various Reports**

*The Managers' Reports were provided in written form to the Board on January 24, 2022.*

Director Holbrook addressed Mr. Killingsworth, SSJID Engineering Department Manager, regarding status of the Canyon Tunnel project. Mr. Killingsworth responded that Provost & Pritchard Consulting Group (P&P) is in the environmental phase towards developing the required California Environmental Quality Act (CEQA) documents necessary for the California Department of Fish and Wildlife's (CSFW) Lake and Streambed Alteration (LSA) application process. He recently met with Mr. Robert Azpitarte, an archeologist with ASM Affiliates, on-site at the areas proposed to be disrupted as a result of construction, to look for and identify any potential items of historical interest. The inspection concluded that there were no significant concerns, and no native burial grounds or fossils identified. In addition, the air pollution/air quality analysis has been completed; the biological survey has been completed; and a meeting is scheduled with P&P to determine the next steps in moving forward to submit the LSA application.

Director Spyksma addressed Mr. Killingsworth regarding status of the response letter sent to the California Department of Water Resources (DWR) Division of Safety of Dams (DSOD) pertaining to the Woodward Dam spillway analysis. Mr. Killingsworth replied that, to date, a response had not been received from DSOD and that an answer is anticipated by May 2022.

Director Spyksma addressed Mr. Bere Lindley, SSJID Assistant General Manager, regarding status of a target date for the amended SSJID Reserves Policy. Mr. Lindley responded that he anticipates presenting the reserves policy at the next regular board meeting.

Director Weststeyn addressed Mr. Frank Avila, SSJID Irrigation Operations Manager, regarding the procurement of new District vehicles and/or equipment and suggested beginning the process earlier due to current backorder issues and delivery delays. Mr. Avila responded via the Zoom meeting platform, and stated that Mr. James Ferguson, SSJID Shop Department Supervisor, is developing a plan to rectify the issues involving the acquisition of District vehicles and intends to schedule a meeting with the Board Equipment Committee to

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discuss the proposed process. Mr. Ferguson addressed the Board via the Zoom meeting platform, and said that he is working on details and information to present at the future Equipment Committee meeting; meeting discussion will include the discontinuance of fleet sales divisions at car dealerships; and Board direction will be requested.

Mr. Peter Rietkerk, SSJID General Manager, addressed the Board and announced SSJID's Employee Appreciation Week being held January 24 through January 28. He explained modifications made to the Service Award Presentation lunches due to current COVID-19 restrictions. Mr. Rietkerk acknowledged all the award recipients by name and their years of service with the District, and commended them on their commitment and dedication to SSJID. He commented about the District's positive workplace environment, the week-long events planned for Employee Appreciation Week, and the employees' smiles brought on by the fresh churros and coffee on day one of the festivities.

Mr. Rietkerk noted recent communications with Stanislaus County Parks and Recreation (County) regarding the County's request for approval to operate a concession stand at the Woodward Reservoir recreation area. He stated that the agreement is currently being reviewed internally, and that the District is willing to approve the proposed agreement contingent upon written acknowledgement and acceptance from the County that Woodward Reservoir spillway improvements that may ultimately be required by DSOD could negatively impact the proposed Concessionaire Agreement, including eventual removal of the concession area.

Mr. Rietkerk reported that General Managers of each member agency of the San Joaquin Tributaries Authority (SJTA) met on January 19, to discuss potential budget amendments that met member priorities and strategic planning goals for 2022. Discussion included concerns regarding the allocated funds toward legal expenses, and implementation of the strategic plan initiatives for 2022.

Mr. Rietkerk reported that Pacific Gas & Electric (PG&E) ended its five-year felony probation period, which was imposed in 2017 when the utility was convicted of six felony crimes connected to a natural gas pipeline explosion in 2010 that killed eight people. He noted opinions written in the final report by US District Judge William Alsup, who oversaw the probation, regarding PG&E's negligence, the utility-blamed wildfires, the utility's subsequent criminal charges, and shortcomings of the probationary process. Mr. Rietkerk expressed confidence that the District is on track to provide better service to the local communities.

Director Holmes addressed Ms. Katie Patterson, SSJID Public and Government Relations Manager, regarding "More Water Now," an initiative to provide allocation from the state's general funds for water infrastructure projects. Ms. Patterson responded that she has been tracking the initiative for a couple months which has gained momentum in the Central Valley. She added that "More Water Now" is still a public initiative at the grass roots level and recommends the District remain in a neutral position. She will continue to monitor and bring pertinent developments to the Board. Board discussion included the United States Environmental Protection Agency (EPA) Waters of the United States.

**ACTION CALENDAR**

**Item #3 – Consider Adoption of Resolution 22-02-X Authorizing Destruction of District Records**

Ms. Mia Brown, SSJID General Counsel, addressed the Board and explained the SSJID Records Retention Policy, which sets forth the minimum retention period for different classifications of records held by the District. The list of proposed records poised for destruction have been reviewed by staff and conditions have been satisfied. The Board is required to adopt a resolution finding that destruction or disposition of the records will not adversely affect any interest of the District or of the public.

Staff recommends adoption of Resolution 22-02-X authorizing the destruction of District records.

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**MOTION:** A motion was made by Director Spyksma and seconded by Director Weststeyn to adopt Resolution 22-02-X Ordering the Destruction of Certain Records in Accordance with Records Management and Records Retention Schedule.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION NO. 22-02-X**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SOUTH SAN JOAQUIN IRRIGATION DISTRICT ORDERING THE DESTRUCTION OF CERTAIN  
RECORDS IN ACCORDANCE WITH  
RECORDS MANAGEMENT AND RECORDS RETENTION SCHEDULE**

WHEREAS, California Government Code Section 60200 et seq. allows the legislative body of any special district to establish a policy regarding the destruction or disposal of any record that is not expressly required by law to be filed and preserved; and

WHEREAS, pursuant to California Government Code Section 60200 et seq., the South San Joaquin Irrigation District (“District”) adopted Resolution No. 15-04-Y implementing a records retention policy and schedule (“Retention Policy”); and

WHEREAS, said Retention Policy complies with the “Local Government Records Program” administered by the Office of the California Secretary of State; and

WHEREAS, pursuant to the Retention Policy, the District may dispose of selected records after the Board of Directors adopts a resolution finding that the destruction of such records will not adversely affect any interest of the district or the public; and

WHEREAS, the District maintains a list by category of the types of records destroyed or disposed of that reasonably identifies the information contained in the records for each category; and

WHEREAS, the records listed on Exhibit A, incorporated herein in its entirety, exceed the retention period established by the Retention Schedule and therefore are eligible for destruction; and

WHEREAS, the relevant District personnel and District General Counsel have physically inspected said records and have determined that said records no longer serve a business, historical, or other purpose of the District, and the destruction thereof will not adversely affect any interest of the District or the public.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the South San Joaquin Irrigation District:

1. The records listed on Exhibit “A” exceed the retention period set by the District’s Record Retention Policy.
2. Said records no longer serve a business, historical, or other purpose of the District, and the destruction thereof will not adversely affect any interest of the District or the public.
3. Said records are hereby authorized for immediate destruction.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District this 25<sup>th</sup> day of January 2022, by the following vote:

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AYES: HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #4 – Consider Approval of Purchase from Suez WTS Analytical Instruments, Inc., for an Online Total Organic Carbon (TOC) Analyzer Water Quality Instrument for the Water Treatment Plant**

Mr. Charles Galea, SSJID Chief Plant Operator, addressed the Board via the online Zoom meeting platform, regarding the purchase of a Total Organic Carbon (TOC) analyzer from Suez WTS Analytical Instruments, Inc. (Suez). Mr. Galea provided history of Suez monitoring and identifying an increase of organics at the Water Treatment Plant (WTP) and their recommendation to purchase a TOC analyzer for the WTP. Mr. Galea explained in detail the benefits of an in-house TOC analyzer including the abilities to optimize the pretreatment process through continuous monitoring and analysis, and adjustments made quickly and in real time to meet water quality standards.

The Suez quote is for a total amount of \$39,635.76, which includes \$4,530.00 for a first year service agreement. The proposed service agreement includes Suez providing on-site training to WTP staff, and well as any repairs and/or adjustments by Suez within the first year. The WTP budget for this item is \$38,000. The cost of the TOC analyzer, shipping, taxes, and service agreement exceed the budgeted amount by \$1,635.76.

The Board inquired on the cost of consumables and maintenance materials per year to which Mr. Galea answered an estimated cost of \$3,700.00, but added that the cost to outsource TOC testing last year totaled \$4,800.00.

The Board addressed Ms. Brown regarding concern of Item #11 – Force Majeure, of the Suez Standard Terms & Conditions of Sale & Service of Instrument document. Ms. Brown stated that the Force Majeure clause addressed supply chain and component part issues, absolving Suez from liability for delays caused by matters out of its control, and concluded that there were no concerns with the clause.

Board discussion included Item #4 – Payment regarding potential requirement of full payment in advance, and requested negotiating the terms to include a withholding of twenty-, ten-, or five-percent (20%, 10%, or 5%) until delivery in full.

**MOTION:** A motion was made by Director Kamper and seconded by Director Weststeyn to: 1) Approve the purchase from Suez WTS Analytical Instruments, Inc. for an online TOC Analyzer for the WTP; 2) Approve the over-budget amount of \$1,635.76 for a total purchase price of \$39,635.76; and 3) Negotiate and revise the Standard Terms & Conditions of Sale & Service of Instrument document, Item #4 – Payment, to include a withholding of twenty-, ten-, or five-percent (20%, 10%, or 5%) until delivery in full.

The motion passed 5 to 0 by the following vote:

AYES: HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

**Item #5 – Consider Bid Approval for District Server Refresh and Storage Upgrade – Phase II**

Mr. Michael O’Leary, SSJID IT Systems Administrator, addressed the Board regarding purchase of Dell servers and storage equipment from AbTech Technologies for the amount of \$46,325.85 plus tax. He noted the revised quote, which was distributed to the Board prior to the meeting, differs from the original quote included in the

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agenda Item #5 – Staff Report. The revised quote amount is contingent upon a commitment date by the District of January 28, 2022.

Mr. O’Leary provided history of the District Server Refresh Project Phase I, which included the purchase of new servers at the District Office and WTP, as well as video surveillance storage at the District Office, Control Room and WTP. Mr. O’Leary explained Phase II of the project which will replace the aging servers at the Control Room, and add additional surveillance storage at the District Office to allow for the storage of one year’s worth of surveillance video. Aging data will destruct automatically.

Mr. O’Leary provided a side-by-side comparison of the quotes from AbTech and Dell Computers. He explained that the Dell quote is higher for a newer model server, but that the AbTech system will satisfy the District’s needs and usage.

**MOTION:** A motion was made by Director Weststeyn and seconded by Director Spyksma to authorize the purchase of Dell servers and storage equipment from AbTech Technologies for the amount of \$46,325.85 plus tax and shipping.

The motion passed 5 to 0 by the following vote:

AYES:	HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #6 – Consider Approval of Public Hearing Schedule for SSJID’s Redistricting**

Ms. Patterson addressed the Board regarding approval of a proposed redistricting timeline in 2022 to set a schedule for required public hearings. She stated that in order for the District to comply with the requirements set forth by the California Voting Rights Act of 2001 and subsequent deadline extension by the California Legislature’s Senate Bill 594, which extends the deadline for compliance and final approval of redistricting maps for special districts, the Board must approve the recommended timeline for the required public hearings.

Ms. Patterson explained that every ten years, boundaries of all governments that elect members of their legislative bodies by geographical area, including special districts, are updated to reflect how populations have changed based on the most recent U.S. Census. In preparation for the Board’s adoption of new redistricting maps, the District contracted with Flo Analytics (Flo) to evaluate census data, experts, and community feedback to assess the county’s population and communities of related interests to develop preliminary options for the five director divisions of SSJID.

In order for the District to comply with the requirements set forth by the California Voting Rights Act of 2001 and Senate Bill 594, and meet the April 17, 2022 deadline to update its redistricting maps, staff recommended the following schedule for adoption:

- Set first Public Hearing date for March 8, 2022, 9:00 a.m.
- Set second/final Public Hearing date for March 22, 2022, 9:00 a.m.

**MOTION:** A motion was made by Director Spyksma and seconded by Director Kamper to approve the proposed redistricting timeline 2022 to set schedule for required public hearings, as listed above.

The motion passed 5 to 0 by the following vote:

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AYES:           HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #7 – Consider Approval of Amendment to the Professional Services Agreement with Davids Engineering, Inc., for Task Order Five – SSJID Water Information System Support**

Mr. Brandon Nakagawa, SSJID Water Resources Coordinator, addressed the Board regarding approval of an amendment to the Professional Services Agreement with Davids Engineering, Inc. (Davids) for Task Order Five, SSJID Water Information System (WIS) Support for 2022, for a not to exceed cost of \$46,492.00. He gave a detailed description of the proposed scope of work including compiling all raw data into a data base, utilized for report generation.

Mr. Nakagawa noted Davids’ history with the District for Task Order Four, to complete a Conceptual Plan for Modernizing SSJID’s WIS, a repository for key data collected using SCADA instrumentation and gauges throughout the District. One of the elements identified in the WIS Conceptual Plan was the need to consistently and systematically perform quality assurance and quality control (QA/QC) on raw data prior to use in water balance calculations, water rights reporting, and analysis of SSJID’s irrigation system.

Mr. Nakagawa explained the benefits of the proposed Task Order Five with Davids including the development of standard operating procedures for treating raw data and documentation of the discreet steps needed to turn raw data from system gauges into publishable format that has been QA/QC’d for archiving in the WIS database.

The Board inquired on the origin of data to which Mr. Nakagawa answered that the data comes from the SCADA system, Goodwin Reservoir, Woodward Reservoir, drain data, groundwater well data, and water balance data. He added that the data will be collected monthly, generated into a report, and provided to the District’s water attorney. Mr. Killingsworth listed benefits the compiled data will provide to the Engineering department towards innovation and modernization. He also noted that implementation of a WIS would require considerable staffing resources to ensure the system is operated effectively.

In conclusion, Mr. Nakagawa stated that the proposed contract is for the term of one (1) year though completion of the work is anticipated sooner. Currently, Davids Engineering is under contract with the SSJGSA to collect and analyze data ahead of the GSP Annual Report deadline of April 1.

**MOTION:** A motion was made by Director Kamper and seconded by Director Weststeyn to approve the amendment to the Professional Services Agreement with Davids Engineering, Inc., for Task Order Five – SSJID Water Information System, for a not-to-exceed cost of \$46,492.00.

The motion passed 5 to 0 by the following vote:

AYES:           HOLBROOK HOLMES KAMPER SPYKSMA WESTSTEYN  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

*It was announced that all items listed in the Closed Session agenda would be discussed. The Board took a brief recess at 10:32 a.m. and convened to Closed Session at 10:45 a.m.*

*Director Holbrook exited the meeting at 10:32 a.m.*

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**Item #8 – CLOSED SESSION**

8. a. Conference with Legal Counsel – Anticipated Litigation  
Initiation to litigation pursuant to paragraph (4) of  
Subdivision (d) of Section 54956.9
  - 3 cases
  
- b. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to paragraph (2) of  
Subdivision (d) of Section 54956.9
  - 4 cases
  
- c. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
  - 8 cases

*SAN JOAQUIN TRIBUTARIES AUTHORITY, et al., vs. CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD*  
County of Sacramento Superior Court  
Case No. JCCP 5013

*SAN JOAQUIN TRIBUTARIES AUTHORITY vs. CALIFORNIA STATE WATER  
RESOURCES CONTROL BOARD (2021 Curtailment Case)*  
County of Fresno Superior Court  
Case No. 21CDCG02632

*SSJID vs. PG&E*  
Appeal from Judgment of Dismissal Pending:  
In the Court of Appeal for the State of California, Third Appellate District  
Case No. C086319  
Superior Court for San Joaquin County  
Case No. STK-CV-UED-2016-0006638

*PG&E vs. San Joaquin LAFCo; SSJID, Real Party in Interest*  
In the Court of Appeal for the State of California, Third Appellate District  
Case No. C086008  
Superior Court for San Joaquin County  
Case No. STK-CV-UJR-2015-0001266

*SSJID vs. Lakeview Ranch Partners*  
Superior Court for Stanislaus County  
Case No. 2028441

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

*Jana Lynn Woodbridge Apartments, LLC vs. South San Joaquin Irrigation District*  
San Joaquin County Superior Court  
STK-CV-UPI-2021-0002339

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*Dave Hegarty vs. SSJID et al.*  
San Joaquin County Superior Court  
STK-CU-UF-2021-0002552

d. Conference with Real Property Negotiator  
California Government Code Section 54656.8

- i. Property: Water  
Negotiating Parties: Oakdale Irrigation District, Chicken Ranch Rancheria Band of Me-Wuk Indians, Other Potential Parties Unknown  
District Negotiator: General Manager  
Terms: Price and terms of payment of sale
  
- ii. Property: Woodward Reservoir  
Negotiating Parties: Stanislaus County  
District Negotiator: General Manager  
Under Negotiation: Grant of License

e. Labor Negotiations  
California Government Code Section 54957.6  
Agency Negotiator: General Manager  
Employee Organization: IBEW Local 1245

**RETURN TO OPEN SESSION**

*The Board reconvened to Open Session at 11:39 a.m.*

**Item #9 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

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

**Item #10 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 11:39 a.m.

**ATTEST:**

\_\_\_\_\_  
Danielle Barney, Clerk of the Board