

**MINUTES FOR THE FEBRUARY 14, 2023
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. President Weststeyn called the meeting to order and led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: KAMPER ROOS SPYKSMA WESTSTEYN
ABSENT: HOLBROOK

Also present were General Manager Peter M. Rietkerk, General Counsel Mia Brown, Engineering Department Manager Forrest Killingsworth, and Executive Assistant Dawn Driesen.

Public Comment – None

Ms. Mia Brown, General Counsel, announced that Director Holbrook had requested to attend the meeting remotely, pursuant to the “emergency” procedures available under Assembly Bill (AB) 2449, and had met the criteria to attend in that manner. Director Holbrook verified that he was attending to a medical matter that precluded his attendance in person, and announced that there were no persons over the age of 18 with him in his remote attendance location. Ms. Brown then informed the other Board members that they must now vote to approve Director Holbrook’s remote attendance.

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to allow Director Holbrook to attend the meeting via Zoom.

The motion passed 4 to 0 by the following vote:

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

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$346,577.15; Accounts Payable Wires in the amount of \$699,889.35; and Payroll dated January 27, 2023 in the amount of \$284,906.25, January 30, 2023 in the amount of \$4,950.94, and February 10, 2023 in the amount of \$275,009.20.
- B. Approval of the Regular Board Meeting Minutes of January 24, 2023
- C. Approval of Consent to SSJID’s Entry of Property to Read and Maintain Flow Meter, APN 245-240-04
- D. Approval of Consent to SSJID’s Entry of Property to Read and Maintain Flow Meter, APN 245-340-43
- E. Approval of Consent to SSJID’s Entry of Property to Read and Maintain Flow Meter, APN 247-150-33
- F. Approval of Consent to SSJID’s Entry of Property to Read and Maintain Flow Meter, APN 247-290-01
- G. Approval of Consent to SSJID’s Entry of Property to Read and Maintain Flow Meter, APN 261-220-26

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

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The motion passed 5 to 0 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Spyksma reported that he is looking forward to the irrigation season. He stated that staff has done a good job and has kept a great safety record.

Director Roos attended the Manteca Rotary Super Bowl Breakfast.

Director Kamper had nothing to report.

President Weststeyn attended the Eastern San Joaquin Groundwater Authority (ESJGWA) Steering Committee meeting with Brandon Nakagawa, Water Resources Coordinator. He will be attending the South San Joaquin Groundwater Sustainability Agency (SSJGSA) meeting on Wednesday, and the Tri-Dam Board meeting on Thursday.

Peter Rietkerk, General Manager, gave an update on the hydrology status.

Item #2 – Various Reports

President Weststeyn stated that Item #8 will be addressed later in the meeting, and Item #14 will be addressed after Closed Session.

ACTION CALENDAR

Item #3 – Consider Approval of Budget Amendment for Water Treatment Plant Technician Position

Justin Ashworth, Operations Supervisor, stated that staff had planned on hiring an Electrician II to work under the current Instrument Technicians (IT) to learn and eventually move into the IT position, once the position was available. The IT position is going to become vacant sooner than expected, and staff is requesting a budget amendment to hire an Instrument Technician/Industrial Electrician in lieu of the Electrician II.

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to approve the 2023 budget amendment for hiring an Instrument Technician/Industrial Electrician in lieu of an Electrician II.

The motion passed 5 to 0 by the following vote:

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

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Item #4 – Consider Approval of Job Title and Job Description Modifications for Water Treatment Plant Laboratory Coordinator

Mr. Ashworth addressed the Board and explained that the Lab Coordinator position’s role and responsibilities have constantly evolved over the years. In addition to other tasks, the position is now in a supervisory role and the current job description is not currently representative of what she actually does. Staff requested that the job description and title be updated to accurately reflect the position’s tasks and responsibilities.

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to approve the job title and description changes for the Laboratory Coordinator to the revised job title and description of Laboratory Supervisor.

The motion passed 5 to 0 by the following vote:

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

Item #5 – Consider Approval of Job Description Modifications for SSJID Electrical Technician I/II

Don Thornburg, Human Resources Analyst, addressed the Board and stated that the Electrical Technician I/II position was originally developed for the Water Treatment Plant. He stated that they would like to edit the description to add language that would include both the Water Treatment Plant and Irrigation Operations. Mr. Thornburg said that the edits were reviewed and approved by the IBEW.

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to approve the edits to the Electrical Technician I/II job description to include both the Water Treatment Plant and Irrigation Operations.

The motion passed 5 to 0 by the following vote:

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

Item #6 – Consider Approval of Migration and Upgrade to Microsoft Office 365

Michael O’Leary, IT Systems Administrator, explained that Microsoft has been moving away from Microsoft 2016 and phasing out perpetual licenses in favor of subscription licenses. Microsoft is completely phasing out the on-premises Microsoft Exchange server and the Microsoft Office suite. The new Microsoft 365 will allow for automatic updates, cloud-based email hosted by Microsoft, and increased security using Multi-Factor Authentication.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to enter into a three-year agreement with Microsoft via CDW-G to utilize Microsoft Office 365 services for no greater than \$22,533.23 per year for a grand total of \$67,599.69.

The motion passed 5 to 0 by the following vote:

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

Item #7 – Consider Approval of Budget Increase for New Control Room Door Access Controls and Alarm System

Mr. O’Leary addressed the Board regarding the new Control Room door access controls and alarm system. He stated that he requested quotes late last year and the actual amount was not known until after the Board had already approved the 2023 budget. Mr. O’Leary requested that the Board approve a budget amendment from \$10,000 to \$23,000 to install the Control Room door access controls and alarm system. Director Spyksma requested that Mr. O’Leary look into combining accounts to see if there will be a cost benefit.

MOTION: A motion was made by Director Spyksma and seconded by Director Kamper to increase capital budget for project IT23.02 from \$10,000 to \$23,000.

The motion passed 5 to 0 by the following vote:

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

Item #8 to be taken up later in the meeting.

Item #9 – Consider Adjustments to Board Meeting Calendar for April and May 2023

Mr. Rietkerk requested that the Board consider adjourning two regular board meetings on April 11, 2023 and May 9, 2023 and schedule replacement special board meetings due to conflicts with Spring Break and the annual Association of California Water Agencies (ACWA) Spring Conference. Mr. Rietkerk requested that the special board meetings occur on April 4, 2023, and either May 2 or May 16, 2023.

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to cancel the April 11, 2023 and May 9, 2023 board meetings. The General Manager and the Board President will decide when to reschedule. Preferred special board meeting dates are April 4, 2023 and May 2, 2023.

The motion passed 5 to 0 by the following vote:

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

Item #10 – Consider Approval of Employment Agreement with Robert Holmes

Mr. Rietkerk addressed the Board and stated that staff is recommending that the District enter into an Employment Agreement with Mr. Holmes due to his extensive experience with the Sustainable Groundwater Management Act (SGMA). Under the agreement, Mr. Holmes would continue to represent and guide SSJID, and potentially the SSJGSA, on SGMA related matters for a limited duration and to help educate Board members on SGMA. The

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Employment Agreement would be limited to 12 hours per month to review agendas and attend meetings, and would expire at the end of 2023. Director Roos stated that he would like a chance to learn and eventually take over the SGMA representation. Director Roos was encouraged to attend meetings to learn and become familiar with SGMA.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to approve the Employment Agreement for Mr. Robert Holmes.

The motion passed 4 to 1 by the following vote:

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

It was noted that the District President appointed new SSJGSA Board representatives which now include President Weststeyn, Director Roos and Robert Holmes. Director Spyksma is an alternate.

Item #11 – Consider Adoption of Resolution 23-03-B Raising Pressurized Irrigation Service Charge

Sarah Bloom, Assistant Finance & Administration Manager, addressed the Board and explained that per the Proposition 218 process in 2021, the pressurized irrigation service charge adjusts annually for 5 years based on electricity costs and capital assets. Ms. Bloom presented the options before the Board. The Board stated that they believe the formula established is accurately reflecting the District’s costs and reasonable charges to the grower.

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to go with Option 1 as presented and adopt Resolution 23-03-B.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 23-03-B**

SET PRESSURIZED IRRIGATION SERVICE CHARGE

WHEREAS, Irrigation District law provides authority for the South San Joaquin Irrigation District, (“District”) in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

WHEREAS, the District operates a pressurized irrigation system that provides pressurized irrigation service to a portion of its customers (Division 9 Irrigation System Improvement Project), comprising 112 parcels of land which total approximately 2,953 acres; and

WHEREAS, the District currently charges a pressurized irrigation service charge (“Pressurization Charge”) of \$52 per acre-foot; and

WHEREAS, revenues from the Pressurization Charge have never recovered the District’s costs to provide pressurized irrigation service; and

WHEREAS, at its November 17, 2020 meeting, the Board of Directors approved the initiation of the legal process pursuant to Proposition 218 and Government Code section 53755 to increase the Pressurization Charge as follows:

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- 1) Setting the proposed Pressurization Charge of \$50 per acre-foot, consisting of (a) \$38 per acre-foot for recovery of electricity expense (“Electricity Cost Recapture”), and (b) \$12 per acre-foot for the improvement or replacement of capital assets (“Provision for Capital Assets”); and
- 2) Allowing the Electricity Cost Recapture and Provision for Capital Assets components of the rate to be adjusted by the Board of Directors for inflation or deflation on an annual basis in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture would be the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets would be the change in the California Consumer Price Index during the preceding calendar year; and
- 3) Scheduling a public hearing for the Board meeting scheduled for Tuesday, January 12, 2021 to consider public protests and comments on the proposed Pressurization Charge and inflation adjustments; and

WHEREAS, the District has identified the owners of 112 separate parcels of real property within the District’s boundaries that would be subject to the proposed increase in the Pressurization Charge, including the inflation adjustments; and

WHEREAS, as directed by the Board of Directors, and in accordance with the provisions of Proposition 218, a Notice of Public Hearing (“Notices”) was mailed to each identified property owner subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address was different than the billing address; and

WHEREAS, the Notices were mailed on November 25, 2020, at least 45 days before the scheduled public hearing; and

WHEREAS, the Notices included the date, time, and location of the public hearing, instructions on how to protest, a map of the impacted service area, and a cost of service analysis; and

WHEREAS, the Notices described the increase in the Pressurization Charge including the inflation adjustments proposed for adoption after the January 12, 2021 public hearing, the basis upon which the proposed increase in the Pressurization Charge including the inflation adjustments was calculated, and the reason for the increase in the Pressurization Charge including the inflation adjustments; and

WHEREAS, the basis for the Pressurization Charge is to recover a portion of the cost to operate and maintain the pressurized water system and the basis for the increase to the Pressurization Charge is that revenues from the current fee do not recover the costs of operating the pressurized water system including the future replacement and improvement of the pressurized water system’s capital assets; and

WHEREAS, on January 12, 2021, the District held a duly noticed public hearing on the proposed increase in the Pressurization Charge including the inflation adjustments; and

WHEREAS, the Board of Directors has considered all protests against adoption of the proposed increase in the Pressurization Charge including the inflation adjustments; and

WHEREAS, the Board found that zero (0) written protests from the owners of zero (0) parcels of property had been delivered to the District as required by the Notice, which was less than a majority of the owners of the 112 parcels of property subject to the Pressurization Charge.

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NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Directors of the SOUTH SAN JOAQUIN IRRIGATION DISTRICT hereby takes the following actions:

- 1) Makes the findings set forth above, each of which is found to be true.
- 2) Increases (or decreases) the Pressurization Charge effective in 2023 to a rate of \$52.00 per acre-foot consisting of (a) \$38.00 per acre-foot Electricity Cost Recapture, and (b) \$14.00 per acre-foot Provision for Capital Assets. The Electricity Cost Recapture and Provision for Capital Assets components of the rate may be adjusted by the Board of Directors for inflation or deflation on an annual basis in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets is the change in the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year.
- 3) Further finds as follows:
 - a. Revenues derived from the Pressurization Charge will not exceed the cost to provide pressurized irrigation service.
 - b. Revenues derived from the Pressurization Charge will not be used for any purpose other than meeting the costs of providing pressurized irrigation service.
 - c. The amount of the Pressurization Charge, including the inflation adjustments, imposed upon any parcel or person as an incident of property ownership, will not exceed the proportional cost of pressurized irrigation service attributable to the parcel.
 - d. The Pressurization Charge will not be imposed for irrigation service unless that service is actually used by the particular parcel.
 - e. Determines that this action is exempt from California Environmental Quality Act (“CEQA”) pursuant to Section 15273 of the CEQA Guidelines, which exempts the establishment, modification, restructuring, or approval of rates, tolls, fares, or other charges by public agencies for the purpose of meeting operating expenses and obtaining funds for capital projects necessary to maintain service within existing service areas.
- 4) This Resolution shall take effect immediately upon its adoption on February 14, 2023.

PASSED AND ADOPTED this 14th day of February, 2023 by the following vote:

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

Item #12 – Consider Adoption of Resolution 23-04-B Certifying 2023 Charges for Services Furnished by the South San Joaquin Irrigation District

Ms. Bloom requested the Board adopt Resolution 23-04-B certifying all charges for irrigation services for use in 2023.

MOTION: A motion was made by Director Spyksma and seconded by Director Kamper to adopt Resolution 23-04-B certifying all charges for irrigation services for use in year 2023, including the Pressurization Charge as set by Resolution 23-03-B.

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**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 23-04-B**

**CERTIFYING 2023 CHARGES FOR SERVICES
FURNISHED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
FEBRUARY 14, 2023**

WHEREAS, Irrigation District law provides authority for the South San Joaquin Irrigation District, (“District”) in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

WHEREAS, the District currently charges a flat rate charge (“Flat Rate Charge”) of \$24.00 per acre per year for water service to each parcel in the District on which District-supplied water is available for irrigation, with a minimum charge of \$50 per year; and

WHEREAS, the District currently charges a groundwater recharge charge (“Ground Water Recharge Charge”) of \$12.00 per acre per year to each parcel in the District of 10 acres or more which is subject to a recorded Irrigation Service Abandonment Agreement, and on which crops are commercially grown; and

WHEREAS, on July 31, 2012, in conformance with the procedural requirements of Proposition 218, the District approved an additional volumetric charge of \$3 per acre-foot (“First Tier Volumetric Charge”), and on September 22, 2015 limited the First Tier Volumetric Charge to the first 48 inches of water used per year, and approved an additional volumetric charge of \$10 per acre-foot for water used in excess of 48 inches per year starting in 2016 (“Second Tier Volumetric Charge”); and

WHEREAS, on January 12, 2021, in conformance with the procedural requirements of Proposition 218, the District approved a pressurized water charge (“Pressurization Charge”) for customers served with pressurized water from the District’s Division 9 Irrigation System Improvement Project set at \$50 per acre-foot consisting of (a) \$38 per acre-foot for recovery of electricity expense (“Electricity Cost Recapture”), subject to an annual inflation or deflation adjustment, and (b) \$12 per acre-foot for the improvement or replacement of capital assets (“Provision for Capital Assets”), also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$50 was effective for the 2021 season, and may be adjusted by the Board of Directors for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of the 2022, 2023, 2024 and 2025 seasons. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year. The annual inflation or deflation index applicable to the Provision for Capital Assets is based on the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year; and

WHEREAS, Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address; and

WHEREAS, the District declares the following with respect to the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge:

- (1) The revenues derived from the aforementioned charges do not exceed the costs of providing the subject properties with the respective service(s); and

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- (2) The revenues derived from the charges will not be used for any purpose other than that for which the charges are imposed; and
- (3) The amount of a charge imposed shall not exceed the proportional cost of the service(s) attributable to the subject property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that pursuant to Sections 22280 and 22283 of the Water Code, the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge shall remain in effect at their current levels for the 2023 calendar year as follows and subject to the following rules:

RULE NO. 1: FLAT RATE CHARGE

- a) For each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, which is not the subject of an Irrigation Service Abandonment Agreement with the District, there shall continue to be a charge for the use of District water, an annual Flat Rate Charge of \$24.00 per acre.
- b) The minimum amount for the Flat Rate Charge shall continue to be \$50.00. The Flat Rate Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2022 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2023.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2022 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2023.
- e) For parcels billed by the District, water service will be denied to any land having outstanding Flat Rate Charges in excess of ten (10) working days.

RULE NO. 2: FIRST and SECOND TIER VOLUMETRIC CHARGES

- a) There shall continue to be a First Tier Volumetric charge of \$3 per acre-foot for the first 48 inches and a Second Tier Volumetric charge of \$10 per acre-foot for water used in excess of 48 inches.
- b) Water service will be denied to parcels having outstanding volumetric charges in excess of \$10 for 45 days or longer.

RULE NO. 3: PRESSURIZATION CHARGE

- a) The pressurization charge and the annual adjustment feature is described as follows:

On February 14, 2023, the District imposed a Pressurization Charge for customers served with pressurized water from the District's Division 9 Irrigation System Improvement Project set at \$52.00 per acre-foot consisting of (a) \$38.00 per acre-foot for Electricity Cost Recapture, subject to an annual inflation or deflation adjustment, and (b) \$14.00 per acre-foot for Provision for Capital Assets, also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$52.00 is effective for the 2023 season and may be adjusted by the Board of Directors for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost

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Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year. The annual inflation or deflation index applicable to the Provision for Capital Assets is the change in the California Consumer Price Index as published by the California Division of Industrial Relations for the preceding calendar year. Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address.

- b) Parcels receiving pressurized water from the District's Division 9 Irrigation System Improvement Project, shall, in addition to the Flat Rate Charge described in Rule No. 1, and the First and Second Tier Volumetric Charges described in Rule No. 2, pay a Pressurized Charge of \$52.00 per acre-foot during 2023.
- c) Parcels receiving pressurized water from the District's Division 9 Irrigation System Improvement Project will be billed each month of the irrigation season both for delivery of District-supplied water under Rule No. 2 and for pressurization of such water under this Rule No. 3.
- d) Water service will be denied to parcels having outstanding Pressurization Charges in excess of ten (10) working days.

RULE NO. 4: GROUNDWATER RECHARGE CHARGE

- a) For those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which are used to grow commercial crops and which are the subject of an approved District Irrigation Service Abandonment Agreement, there shall continue to be an annual Ground Water Recharge Charge of \$12.00 per acre for the benefits derived from groundwater recharge.
- b) The Groundwater Recharge Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2022 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2023.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2022 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2023.

RULE NO. 5: SERVICE ABANDONMENT

- a) Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which do not utilize District water service may be exempted from the District Flat Rate Charge provided the owners of such lands enter into an "Irrigation Service Abandonment Agreement" with the District, and
- b) Provided further, there are no outstanding amounts owed to District for water service on such lands.
- c) Such parcels may also be exempted from the Ground Water Recharge Charge, provided such parcels are less than 10 acres or are not used to grow commercial crops.

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RULE NO. 6: COLLECTION

- a) The Board authorizes the charges to be billed and collected by the District and to deny water service to parcels having outstanding charges that exceed the thresholds established in the Rules above.
- b) The Board authorizes the charges resulting from the Flat Rate Charge and Groundwater Recharge Charge to be transmitted to the County Auditor-Controller and continue to be enrolled on the tax roll of the County of San Joaquin for collection at the same time, in the same manner, and subject to the same penalties for delinquency as county taxes.

PASSED AND ADOPTED this 14th day of February, 2023 by the following vote:

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

Item #13 – Consider Adoption of Resolution 23-06-P for Quitclaim of Easement Unto Jen California 23 LLC for Portion of Drain 5 (Villa Ticino West)

Ms. Brown stated that the Board previously approved the quitclaim of a portion of the District’s Drain 5 to landowner, JEN California 23, LLC. The Title Company handling the transaction requested a resolution. Resolution 23-06-P memorializes the transaction as an official action by the Board of Directors and authorizes the quitclaim.

MOTION: A motion was made by Director Spyksma and seconded by Director Kamper to adopt Resolution 23-06-P authorizing the quitclaim of a portion of Drain 5 unto JEN California 23, LLC, as the landowner of the Villa Ticino West development.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-06-P**

**RESOLUTION AUTHORIZING THE QUITCLAIM OF AN EASEMENT
OWNED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
(A PORTION OF DRAIN 5)**

WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT (“District”) is the lawful owner of an easement upon real property situate in the City of Manteca, County of San Joaquin, identified by San Joaquin County Assessor’s Parcel Numbers 198-160-08, 198-160-21, and 198-160-29. Said easement is variable in width, and is more particularly described in the attached Exhibit “A” (“Easement”) and shown in the plat attached hereto as Exhibit “B;” and

WHEREAS, the District has determined that the District no longer requires the Easement for District purposes; and

WHEREAS, the District Board of Directors finds it in the best interests of the District to quitclaim the portion of the Easement no longer necessary for District purposes unto JEN CALIFORNIA 23 LLC, the owner of the underlying real property burdened by the Easement; and

WHEREAS, California Water Code section 22500 authorizes an irrigation district to dispose of real property where: 1) the district’s board of directors find the property is no longer necessary for district purposes; 2) the

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proposed conveyance is supported by valuable consideration; and 3) the District’s Board of Directors finds the terms and conditions of the conveyance to be in the best interests of the District; and

WHEREAS, the District’s Board of Directors finds the requirements of California Water Code section 22500 have been met.

NOW THEREFORE BE IT RESOLVED, by this Board of Directors that:

1. The Board of Directors finds that the Easement is no longer necessary for District purposes;
2. Valuable consideration for the quitclaim of said Easement is acknowledged as received;
3. The Board of Directors finds the terms and conditions of the quitclaim to be in the best interests of the District;
4. The Board of Directors authorizes the General Manager and other District staff to execute and record all documents and do all other things necessary and proper to effectuate the quitclaim of the Easement to JEN CALIFORNIA 23 LLC, the owner of the underlying real property.

PASSED AND ADOPTED this 14th day of February, 2023, by the following vote:

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

Item #8 – Consider Approval of On-Call Services Task Order for Provost & Pritchard Consulting Group

Forrest Killingsworth, Engineering Department Manager, stated that engineering activity related to grant funding, unauthorized encroachments, bridge evaluations, feasibility studies, capital improvement projects, and similar efforts had ramped up. The District has been working closely with Provost & Pritchard (P&P) since it entered into a Master Professional Services Agreement with them in 2020. Currently, the District has issued nine (9) task orders for various types of projects under that agreement. With the increased activity in the Engineering Department, several instances have arisen where miscellaneous support and quicker engagement would be useful. Entering into an “On-call Services” task order with P&P will allow staff to quickly secure consultant’s support without a formal quote or proposal. Time and expenses will be tracked as services are rendered.

MOTION: A motion was made by Director Roos and seconded by Director Spyksma to authorize staff to issue a Task Order to Provost and Pritchard, subject to the terms of the Master Professional Services Agreement, for miscellaneous on-call engineering and consulting services for the 2023 calendar year, in an amount not to exceed \$40,000.

The motion passed 5 to 0 by the following vote:

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

Item #14 to be taken up following Closed Session.

**MINUTES FOR THE FEBRUARY 14, 2023
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Item #15 – Consider Adoption of Resolution 23-05-W Declaring the Start of the 2023 Irrigation Season

Brandon Nakagawa, Water Resources Coordinator, addressed the Board and stated that current water supply conditions are strong in the Stanislaus River watershed and the Districts are expecting their full allotment of 600,000 acre feet. Staff recommended that the Board set March 9, 2023 as the start of the 2023 Irrigation Season.

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to adopt Resolution 23-05-W setting March 9, 2023 as the start of the 2023 Irrigation Season. The item will be brought back to the next board meeting to reevaluate if rain is expected.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-05-W**

**DECLARING START OF 2023 IRRIGATION SEASON AND NO INITIAL IMPOSITION OF WATER
ALLOTMENT OR TIER II RESTRICTIONS**

WHEREAS, the South San Joaquin Irrigation District (SSJID) is authorized to impose water allocations, restrictions, and water conservation measures pursuant to Sections 350 *et seq.* and Division 11 of the California Water Code, in the event of a present or threatened water shortage; and

WHEREAS, SSJID has imposed such allotments and restrictions in the past, when SSJID’s water supply was endangered due to multiple years of below-average precipitation which reduced inflow to and depleted storage levels within New Melones Reservoir, making such extraordinary conservation measures necessary; and

WHEREAS, SSJID’s Board of Directors adopted Resolution 00-21-O on November 14, 2000, which provides that the water supply to lands annexed after that date “. . . is subject to cutoff in order for the District to serve Original Landowners and to satisfy the District’s contractual obligations to the Cities of Manteca, Escalon, Ripon, Lathrop and Tracy,” and which cutoff is referred to below as “Tier II Restrictions;” and

WHEREAS, hydrologic forecasts based on above normal precipitation prior to January during the 2023 water year has informed SSJID to reasonable expect inflow into New Melones Reservoir to surpass 600,000 acre-feet which entitles SSJID to a full entitlement pursuant to the 1988 Agreement and Stipulation with Bureau of Reclamation; and

WHEREAS, the amount of water expected to be available to SSJID is anticipated to meet the full agricultural and municipal needs of the District for the 2023 water year; and

WHEREAS, the expectation that SSJID’s available water for the 2023 water year will be sufficient to fully, albeit conservatively, meet the needs of its agricultural and municipal customers makes extraordinary conservation measures in the form of allotment and Tier II restrictions unnecessary at this time.

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

1. The foregoing Recitals are true and correct.
2. The 2023 Irrigation Season shall start on March 9, 2023 (tentative pending final decision by the Board).
3. There shall be no maximum limit on the number of inches of water that will be delivered to growers.
4. There shall be no Tier II restrictions imposed.

**MINUTES FOR THE FEBRUARY 14, 2023
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5. Deliveries of drinking water to the Cities of Manteca, Lathrop and Tracy will not be restricted.
6. Should unprecedented dry hydrology continue to undermine available water supplies necessary to meet anticipated District demands, the Board reserves the right to reconsider water allotments and restrictions for the remainder of 2023 to assure the adequate allocation of available water supplies.
7. District municipal and agricultural customers and employees are encouraged to take reasonable and appropriate measures to prevent unnecessary and wasteful use of water, and are further encouraged to prudently and efficiently use available water resources.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District at a regular meeting thereof held this 14th day of February, 2023 by the following roll call vote:

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

It was announced that all items on the Closed Session agenda would be discussed. The Board took a brief recess at 10:45 and convened to Closed Session at 11:00 a.m.

Director Holbrook left the meeting at 10:45.

Item #16 Closed Session

RETURN TO OPEN SESSION

The Board returned to Open Session at 2:10 p.m.

Item #17 – 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.

The next items were taken up following Closed Session in Open Session.

Item #14 – Consider Adoption of Resolution 23-07-P for Quitclaim of Easement Unto Lucas Ag Holdings, LLC for a portion of Lateral Va-4dd

Item was tabled to allow for additional investigation.

Item #18 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:15 p.m.

ATTEST:

Dawn Driesen, Executive Assistant