

**MINUTES FOR THE FEBRUARY 23, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District 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 HOLMES KAMPER ROOS WESTSTEYN
ABSENT: NONE

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

Public Comment – None

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$386,350.86; Accounts Payable Wires in the amount of \$495,957.60; and Payroll dated February 12, 2021 in the amount of \$229,964.70, and February 19, 2021 in the amount of \$3,038.50
- B. Approval of the Regular Board Meeting Minutes of February 9, 2021
- C. January 2021 Financial Statements

Mr. Bere Lindley, SSJID Assistant General Manager, had no planned report to the Board but was available for questions. Upon inquiry, Mr. Lindley provided a detailed explanation of the Wholesale Electric operating expenses and accrued true-up amounts, and the Water Treatment Plant (WTP) electrical usage and Pacific Gas & Electric E-19 rate. The Financial Statements for January 2021 were included in the agenda packet, Item C.

- D. January 2021 Investment Report

Mr. Lindley had no planned report to the Board but was available for questions. He acknowledged Mr. Kevin Martin, Cantella & Co. Inc., for his smart investment advice for the District. The Investment Report for January 2021 was included in the agenda packet, Item D.

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

The motion passed 5 to 0 by the following vote:

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

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COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook announced the cancellation of the Greater San Joaquin County (SJC) Integrated Regional Water Management Coordinating Committee meeting on February 17.

Director Holbrook attended the SJC Advisory Water Commission (AWC) meeting on February 17, via remote access. He stated that an update of AWC recent activities is included in the Water Resources Manager’s Report dated February 23.

Director Weststeyn attended the AWC meeting on February 17, via remote access from the District Office.

Director Weststeyn participated in SJC’s Government Leadership Training which is a requirement of the County upon appointment to an SJC Board and/or Commission. He will forward the received training materials to Danielle Barney, SSJID Executive Assistant/Clerk of the Board, to share with any interested Board Member.

Director Roos exited the meeting at 9:15 a.m.

Director Holmes read aloud a letter, penned by Director Roos, explaining Director Roos’ current medical condition and treatment, and his expressed heartfelt thanks for the prayers and support of the SSJID family. Director Holmes added that the District will keep Director Roos in its thoughts and prayers.

Item #2 – Various Reports

In adherence to the District’s new Board meeting protocols due to COVID-19, the Managers’ Reports were provided in written form to the Board on February 22, 2021.

Mr. Peter Rietkerk, SSJID General Manager, announced the upcoming American Public Power Association (APPA) 2021 National Conference. Conference attendance options include “in-person” attendance in Orlando, Florida on June 20-23, and “virtual” attendance on July 13-14. Board members interested in attending should contact Ms. Barney to assist with registration, as well as travel arrangements if attending in person. Director Kamper added that the APPA conference provides a very good introduction to the energy industry and impacts to our communities.

Director Weststeyn thanked Mr. Lindley for the SSJID Social Media Report included in the Assistant General Manager’s Report dated February 23. He addressed Ms. Troylene Saylor, SSJID Public Relations Director, regarding the data reflecting low social media activity for SSJID posts. Ms. Saylor responded, via the online Zoom meeting platform, that the data regarding public engagement of SSJID’s platform is contingent on Facebook’s recent algorithm changes. She explained Facebook’s organic posts versus paid content, qualitative comparison of SSJID to the social media platforms for Modesto Irrigation District and Turlock Irrigation District, and SSJID’s new marketing designs and billboards which are soon to be released by Marcia Herrmann Designs. Director Weststeyn expressed the need to assemble a committee to discuss the District’s social media efforts

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Director Holmes addressed Mr. Ed Erisman, WTP Manager, regarding the status of the roof modifications project at the Tracy Booster Plant. Mr. Erisman responded, via the online Zoom meeting platform, that staff is awaiting the contractor. He added that both the skylight and pump repair portions of the project are too large scale to be conducted in-house.

ACTION CALENDAR

Item #3 – Coronavirus (COVID-19) Update and Action as Necessary

Mr. Rietkerk stated there are no coronavirus updates to report.

Item #4 – Consider Acceptance of Quotes and Approval of Purchase of New Vehicles for SSJID Fleet

Mr. James Ferguson, SSJID Shop Manager, addressed the Board, via the online Zoom meeting platform, regarding the 2021 vehicle purchases for the District fleet. He explained that due to unforeseen pricing deadlines, quotes could not be obtained from Ford at this time. Acceptance of quotes and approval of new Ford vehicles will be presented to the Board at a future Board meeting.

Staff is recommending Board approval for three (3) 2021 Toyota Tacoma Pickups, three (3) International Dump Trucks, and one (1) International Tanker for a total amount of \$722,512.34.

Board inquiries included the receipt of any additional quotes from Toyota vendors, Toyota option packages, and Mr. Ferguson’s opinion of the District’s current Toyota trucks. Mr. Ferguson responded that quotes were also requested from Toyota of Stockton, and Tracy Toyota, with Modesto Toyota as the sole quote submitted; the Toyota vehicles are purchased as-assembled (no options); and that he is satisfied with the performance of the current Toyota Tacoma pickups in the District fleet.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to accept the quotes and approve purchase of new vehicles for the SSJID fleet including:

- Three (3) Toyota Tacoma Pickups - \$35,017.60 ea. = \$105,052.80
- Three (3) International 3-axle Dump Trucks - \$150,665.02 ea. = \$451,995.06
- One (1) International 3-axle Tanker - \$165,464.48 ea. = \$165,464.48
- **Total for 2021/2022 Toyota International Vehicle Purchases = \$722,512.34**

The motion passed 4 to 0 by the following vote:

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

Item #5 – Consider Approval of Amendment to Service Abandonment Agreement as Requested by William Stanislaus, APN 240-030-01

Mr. Forrest Killingsworth, SSJID Engineering Department Manager, addressed the Board regarding the request for Amendment to Service Abandonment Agreement and stated it is a standard amendment. He

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provided explanations of the previous landowner entering into a Service Abandonment Agreement with the District in 2009; the current landowner’s recent purchase of the property and request to receive District water; and the current landowner’s future intent to irrigate pasture and landscape trees. Mr. Killingsworth further explained that approval shall be subject to the terms and conditions specified in the revised policy entitled “Policy for Rescinding Irrigation Service Abandonment,” and stated specific conditions for approval that staff recommends, as listed below:

1. Flood Irrigation

- a. The “X133dd” lateral is capable of delivering flood water to the Subject Property, however, private improvements including an irrigation pipeline and valves are required to allow flood irrigation. Owner is responsible for installing all improvements necessary to deliver flood irrigation to the Subject Property in accordance with District’s Standard Plans and Specifications (“District Standards”) at Owner’s expense as a condition to receiving water.
- b. If Owner desires that the Subject Property receive water service by any means other than flooding, Owner is required to install all improvements District determines to be necessary in accordance with District Standards, or to upgrade existing facilities as necessary to be in accordance with the District Standards, at Owner’s expense. Such improvements may include, but shall not be limited to, a flow meter.

2. Sprinkler or Drip Irrigation

- a. Irrigation water for sprinkler or drip irrigation can be made available to the Subject Property through SSJID’s Lateral “X133dd.” The applicant will be required to submit a Structure Permit to install a new supply line, sump, and meter. It is the responsibility of the Owner to acquire the necessary permission from the adjacent landowner to convey water across their property.

- 3. One Year provision. By action dated January 13, 2015, which amended the Policy for Rescinding Irrigation Service Abandonment, Owner is not subject to a one year waiting period for the Subject Property to receive District water.

Discussion among the Board included future sub-division development in the surrounding parcels and potential for flooding.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to approve the Amendment to Service Abandonment Agreement as Requested by William Stanislaus, APN 240-030-01.

The motion passed 3 to 1 by the following vote:

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

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Item #6 – Consider Action to Set the Start Date and Initial Allocations for the 2021 Water Season and Adoption of Resolution 21-07-W Declaring Start of 2021 Irrigation Season

Mr. Rietkerk addressed the Board regarding the previous decision, at the February 9 Board meeting, to defer the determination of the start date for the 2021 water season to today’s meeting. He recapped that the proposed start dates for the 2021 water season are March 10 or March 17, and that staff is also recommending Board adoption of Resolution 21-07-W declaring the start of water season and no set allocation of water.

Mr. Rietkerk updated the Board on the 2021 water supply outlook, current hydrology and Stanislaus River operations; the San Joaquin 5-station precipitation index; snow water content for the Central Sierra; water storage management; and conservation accounts. Mr. Brandon Nakagawa, SSJID Water Resources Coordinator, reported on the Water Projection Tool which provides powerful information of risk and tolerance for drought; Farm Gate Delivery; and the California Department of Water Resources (DWR) Cooperative Snow Surveys Bulletin 120.

Board discussion included water conservation customer outreach, and possibly imposing an inch limit of water and how such a scenario would be triggered and implemented. Mr. Rietkerk added that water conservation outreach efforts could include a customer newsletter, social media, and advertising/articles in the Manteca Bulletin. It was noted that Resolution 21-07-W, Item #6 states, “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 2021 to assure the adequate allocation of available water supplies.”

MOTION: A motion was made by Director Kamper and seconded by Director Weststeyn to set the start date of water season to March 10, 2021; and adopt Resolution 21-07-W Declaring the Start of the 2021 Irrigation Season and No Initial Imposition of Water Allotment or Tier II Restrictions.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 21-07-W**

**DECLARING START OF 2021 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,

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WHEREAS, the 2021 water year has experienced a precipitation rate of approximately 50-percent of average to date, and inflow into New Melones Reservoir is not expected to surpass 523,000 acre-feet; and,

WHEREAS, the amount of water expected to be available to SSJID through current estimates and conservation account entitlements in New Melones is anticipated to conservatively meet the full agricultural and municipal needs of the District for the 2021 water year; and,

WHEREAS, the expectation that SSJID's available water for the 2021 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 2021 Irrigation Season shall start on March 10, 2021.
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.
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 2021 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 23rd day of February, 2021 by the following roll call vote:

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

Item #7 – Consider Adoption of Resolution 21-08-W Approving Agreement for Release of Water and Authorizing General Manager to Execute Agreement for Release of Water By and Among the Oakdale Irrigation District, the South San Joaquin Irrigation District, the San Luis & Delta-Mendota Water Authority, and the California Department of Water Resources

Mr. Rietkerk addressed the Board and provided history of SSJID and Oakdale Irrigation District (OID) entering into agreements that involve the release of surplus water in April-May into the Stanislaus River on

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an environmentally friendly (fish friendly) schedule, in a coordinated manner so that the releases may also be later captured by purchasers as a water transfer. In 2013, 2014, 2016 and 2018, SSJID and OID participated in similar actions with the San Luis & Delta-Mendota Water Authority, and DWR. The spring pulse flow releases provide numerous human and environmental benefits including fisheries benefits, meeting D-1641 water quality objectives in the lower San Joaquin River, providing critically needed water supply to other areas of the state, and revenues garnered allowing construction of conservation and modernization projects.

Mr. Rietkerk explained the water supply projections in the Stanislaus River Watershed, and that the final quantity of water available for this action will be determined in March or early April 2021 after review of hydrology. At this time, staff is requesting Board approval of the contract now, subject to final acceptance of pricing terms, so that the District can begin working with the parties and seeking approval from Reclamation toward implementing the action in the April-May timeframe.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to adopt Resolution 21-08-W Approving Agreement for Release of Water and Authorizing General Manager to Execute Agreement for Release of Water By and Among the Oakdale Irrigation District, the South San Joaquin Irrigation District, the San Luis & Delta-Mendota Water Authority, and the California Department of Water Resources upon confirmation of acceptance by all parties, to the final terms of said agreement.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 21-08-W**

**RESOLUTION APPROVING AGREEMENT FOR RELEASE OF WATER AND AUTHORIZING
GENERAL MANAGER TO EXECUTE AN AGREEMENT FOR RELEASE OF WATER BY AND
AMONG THE OAKDALE IRRIGATION DISTRICT, THE SOUTH SAN JOAQUIN
IRRIGATION DISTRICT, THE SAN LUIS & DELTA-MENDOTA WATER AUTHORITY, AND
THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

WHEREAS, the Oakdale Irrigation District (OID) and the South San Joaquin Irrigation District (SSJID), collectively referred to as “Districts,” are California irrigation districts operating under and by virtue of Division 11 of the California Water Code; and,

WHEREAS, Districts are co-owners of certain water rights on the Stanislaus River, including pre-1914 appropriative rights to divert water from the Stanislaus River for irrigation of the lands within the Districts, and various post-1914 appropriative rights to store Stanislaus River water in various reservoirs for diversion to irrigate lands within the Districts, as well as to generate electrical power; and,

WHEREAS, the San Luis & Delta Mendota Water Authority (SLDMWA) is a California joint power authority operating under and by virtue of Section 6500, et seq., of the California Government Code; and,

WHEREAS, the California Department of Water Resources (DWR) owns, operates and maintains water collection, storage, conveyance and delivery facilities, including but not limited to the State Water Project (SWP), and delivers water to its water service contractors located throughout California; and,

WHEREAS, the South San Joaquin Irrigation District Board of Directors was presented with, and has reviewed an Agreement for Release of Water by and among the Oakdale Irrigation District, the South San

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Joaquin Irrigation District, the San Luis & Delta Mendota Water Authority, and the California Department of Water Resources; and,

WHEREAS, the South San Joaquin Irrigation District Board of Directors has determined there may be “surplus water” available for sale in water year 2021 pursuant to in-District demands; and,

WHEREAS, the release of water during the April-May time—period will assist Reclamation in meeting its legal obligation under D-1641 to meet the Spring pulse flow; help meet and protect the beneficial use as designated by the State Water Board in the 1995 Water Quality Control Plan and meet the policy objective of Congress in having additional flows to the Delta paid for and be exportable pursuant to Section 4001 on the WIIN Act.

NOW, THEREFORE, BE IT RESOLVED that the South San Joaquin Irrigation District Board of Directors does hereby approve the Agreement for Release of Water and authorizes the General Manager to execute the agreement, inclusive of any non-substantive final changes.

PASSED AND ADOPTED this 23rd day of February 2021 by the following vote:

AYES:	HOLBOOK HOLMES KAMPER WESTSTEYN
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	ROOS

Item #8 – Consider Adoption of Resolution 21-09-W Approval of the 2021 Spring Pulse Flow Release Project and a California Environmental Quality Act Notice of Exemption Approval and Issuance of Notice of Exemption for Spring Pulse Flow Action

MOTION: A motion was made by Director Kamper and seconded by Director Weststeyn to adopt Resolution 21-09-W Approval of the 2021 Spring Pulse Flow Release Project and a California Environmental Quality Act Notice of Exemption Approval and Issuance of Notice of Exemption.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 21-09-W**

**APPROVAL OF THE 2021 SPRING PULSE FLOW RELEASE PROJECT AND
A CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION**

WHEREAS, the Oakdale Irrigation District (OID) and the South San Joaquin Irrigation District (SSJID), collectively referred to as “Districts”, are California irrigation districts operating under and by virtue of Division 11 of the California Water Code; and,

WHEREAS, Districts are co-owners of certain water rights on the Stanislaus River, including pre-1914 appropriative rights to divert water from the Stanislaus River for irrigation of the lands within the Districts, and various post-1914 appropriative rights to store Stanislaus River water in various reservoirs for diversion to irrigate lands within the Districts, as well as to generate electrical power; and,

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WHEREAS, the San Luis & Delta Mendota Water Authority (SLDMWA) is a California joint power authority operating under and by virtue of Section 6500, et seq., of the California Government Code; and,

WHEREAS, SLDMWA's member units are 28 water agencies representing approximately 2,100,000 acres of land within the western San Joaquin Valley, San Benito and Santa Clara Counties that receive water from the federal Central Valley Project (CVP) under water service or exchange contracts; and,

WHEREAS, the California Department of Water Resources (DWR) owns, operates and maintains water collection, storage, conveyance and delivery facilities, including but not limited to the State Water Project (SWP), and delivers water to its water service contractors located throughout California; and,

WHEREAS, in accordance with the applicable requirements of State Water Resources Control Board (SWRCB) Order D-1641, USBR makes releases from New Melones Reservoir to meet water quality and water quantity objectives measured at Vernalis; and,

WHEREAS, Districts' water rights are satisfied by and through the performance of a settlement agreement with the USBR (the 1988 Agreement) which requires the USBR to deliver water to the Districts at Goodwin Dam each year; and,

WHEREAS, the amount of water available for the Districts' use each year under the 1988 Agreement is calculated by adding the inflow into New Melones to the amount derived by the formula (600,000-inflow) divided by three (3), not to exceed 600,000 acre-feet; and,

WHEREAS, based upon the USBR's 2021 forecast, Districts are willing to release up to 100,000 acre feet of water from Goodwin Dam during April and May 2021 (proposed Project) without reservoir refill criteria. The USBR will be responsible for determining the flow rate and schedule of the release, upon concurrence with the NMFS; and,

WHEREAS, on behalf of the Districts, USBR will release such water from Goodwin Dam, over, above and in excess of the quantities released by the USBR necessary to satisfy the USBR's obligations under the 2019 Biological Opinion for the Coordinated Long-Term Operation of the Central Valley Project; and,

WHEREAS, such operations in the Delta will be conducted consistent with D-1641 and applicable Biological Opinions; and,

WHEREAS, the Districts' release of supplemental flow in April and May will improve instream flow conditions for migratory fish in the Stanislaus and San Joaquin River and will have an incidental effect of improving water quality and water supply conditions in the Delta that can benefit CVP and SWP operations; and,

WHEREAS, the Parties hereto expect and anticipate, but cannot guarantee, the amount of water released as a result of the proposed Project will subsequently arrive at Vernalis; and,

WHEREAS, DWR and the SLDMWA are willing to fund the supplemental releases and to share the anticipated incidental water supply benefits to their respective water contractors; and,

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WHEREAS, the SLDMWA and DWR will pay OID and SSJID for every acre foot of water released into the Stanislaus River; and,

WHEREAS, the proposed Project would utilize existing water conveyance infrastructure and no construction would take place; and,

WHEREAS, the proposed Project has been determined by the Board of Directors to be categorically exempt from CEQA because it will result in the provision of supplemental instream fishery flows pursuant to CEQA Guidelines §15301, subsection (i), and in the ongoing operation of the existing system without change in operation or expansion of use pursuant to CEQA Guidelines §15301; and,

WHEREAS, Goodwin Dam is located in Tuolumne and Calaveras Counties; OID is located in Stanislaus and San Joaquin Counties; SSJID is located in San Joaquin County; and the DWR and SLDMWA facilities are located in Contra Costa, Alameda, San Joaquin, Stanislaus and Merced Counties; and,

WHEREAS, OID is the custodian of the documents or other material which constitute the record of proceedings upon which the Board's decision is based, and the District office is the location of this record.

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

1. The foregoing recitals are true and correct.
2. The proposed Project has been determined to be categorically exempt from CEQA under 14 Cal. Code of Regulations, Section 15301, subsection (i) Maintenance of Stream Flow to protect fish and wildlife resources. There will be no change in operation or expansion of existing diversion and pumping facilities, pursuant to CEQA Guidelines Section 15301.
3. A Notice of Exemption is approved (and is on file with the District's records).
4. Staff is authorized and directed to file a Notice of Exemption at the Clerk's Office (or other authorized place) of Stanislaus, San Joaquin, Contra Costa, Alameda, Merced, Calaveras and Tuolumne Counties and in the manner prescribed by the CEQA.

PASSED AND ADOPTED this 23rd day of February 2021 by the following vote:

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

Item #9 – Discuss and Consider Approving Substitution of Subcontractor Quality Scaffolding, Inc. for Woodward Reservoir Tower and Catwalk Project

Ms. Mia Brown, SSJID General Counsel, addressed the Board regarding award of the Woodward Reservoir Tower and Catwalk Project to general contractor, Slater Waterproofing, Inc. (Slater), with Quality Scaffolding, Inc. (Quality) listed as the scaffolding contractor in Slater's bid. A substitution of subcontractor for the Woodward Reservoir Tower and Catwalk Project has been requested by Quality. Ms. Brown

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explained that pursuant to California Public Contract Code §4107, to substitute a subcontractor listed in the bid documents for an awarded contract, the awarding public agency must inform the original subcontractor of its intent to substitute, and afford the subcontractor a due process hearing. Quality has declined a substitution hearing. The awarding agency must affirmatively approve the substitution with a named subcontractor. Ms. Brown distributed, to the Board, a submittal from Slater of a substitution subcontractor, Vertical Access. Mr. Chad Parsons, SSJID Associate Civil Engineer, added that the start of the project is anticipated for the week beginning March 1.

MOTION: A motion was made by Director Kamper and seconded by Director Weststeyn to approve the Substitution of Contractor for the Woodward Reservoir Tower and Catwalk Project from Quality Scaffolding, Inc. to Vertical Access.

The motion passed 4 to 0 by the following vote:

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

It was announced that all items listed in the closed session agenda would be discussed. The Board took a brief recess at 10:25 a.m. and convened to closed session at 10:30 a.m.

Item #10 – CLOSED SESSION

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

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

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

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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

Tri-Dam et al vs. MWH Americas, Inc., et al
Tuolumne County Superior Court
Case No. CV-61638

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

IBEW Local 1245 v. SSJID
Case No. SA-CE-1122-M

- d. Conference with Real Property Negotiator
California Government Code Section 54656.8
Property: Water
Negotiating Parties: San Luis and Delta Mendota Water Authority, other potential parties
unknown
District Negotiator: General Manager
Terms: Price and terms of payment of sale
- e. Conference with Real Property Negotiator
California Government Code Section 54656.8
Property: Water
Negotiating Parties: South Delta Water Agency
District Negotiator: General Manager
Terms: Price and terms of payment of sale

RETURN TO OPEN SESSION

The Board reconvened to open session at 11:12 a.m.

Item #11 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:

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Item 10.a. – Conference with Legal Counsel – Anticipated Litigation, Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Government Code Section 54956.9

Ms. Brown reported that the encroachment at 23165 S. Manteca Road, Manteca, CA has been resolved. She stated that an encroachment permit has been issued, an encroachment agreement has been signed by all parties, and grant of easement of access has been granted. All pertaining documents are of public record and available for inspection.

Item #12 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:15 a.m.

Director Holmes announced that the SSJID Employee Service Award Presentations will commence at 11:30 a.m. following the Board meeting.

ATTEST:

Danielle Barney, Clerk of the Board