

**MINUTES FOR THE FEBRUARY 28, 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. Mr. Forrest Killingsworth, SSJID Engineering Department Manager, led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: KAMPER ROOS WESTSTEYN
ABSENT: HOLBROOK SPYKSMA

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

President Weststeyn addressed Ms. Mia Brown, SSJID General Counsel, regarding procedure should Director Holbrook need to attend the meeting via Zoom. Ms. Brown responded that should Director Holbrook attend via Zoom, his remote access would be allowable pursuant to the emergency procedures available under Assembly Bill (AB) 2449 and that the Board would need to make a motion and vote to allow Director Holbrook’s remote attendance at the time that he joins the meeting.

Public Comment

Mr. Steve Fredriks, a local farmer, addressed the Board regarding the lowering groundwater levels and expressed interest to participate in groundwater recharge programs and/or projects. He cited his declining well depths and described his land as “sandy ground” which would provide an optimal element for flood and recharge. He summarized that his intent was to inform the Board of the groundwater tables within the District’s service area. President Weststeyn responded that the California Department of Water Resources (DWR) is promoting groundwater recharge of stormwater flows. Mr. Brandon Nakagawa, SSJID Water Resources Coordinator, explained ongoing DWR studies on the Stanislaus River promoting the Flood-Managed Aquifer Recharge Program, and offered his business card and continued conversation regarding assistance and programs available. President Weststeyn thanked Mr. Fredriks and stated that his comments were well-received.

CONSENT CALENDAR

A. Approval of Checks in the amount of \$188,640.25; Accounts Payable Wires in the amount of \$371,778.13; and Payroll dated February 24, 2023 in the amount of \$274,682.06, and February 24, 2023 in the amount of \$4,718.87.

Director Kamper inquired about a check payable to Fishbio, to which Mr. Peter Rietkerk, SSJID General Manager, responded that Ms. Andrea Fuller, Fishbio Senior Biologist, is participating, on behalf of SSJID, on the implementation of the California Water Boards Water Quality Control Plan.

- B. Approval of the Regular Board Meeting Minutes of February 14, 2023
- C. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 245-080-66
- D. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 247-050-13
- E. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 247-050-51

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

The motion passed 3 to 0 by the following vote:

AYES: KAMPER ROOS WESTSTEYN
NOES: NONE
ABSTAIN: NONE

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ABSENT: HOLBROOK SYPKSMA

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Roos reported that he participated in a tour of the District’s upstream diversion and conveyance facilities, canals, dams, tunnels, and the Canyon Tunnel Project conducted by Mr. Killingsworth and Mr. Frank Avila, SSJID Irrigation and Operations Manager, on February 22. He commented that he was amazed at the grandeur of the Tri-Dam structures and Canyon Tunnel Project.

Director Kamper stated that he had no updates to report.

President Weststeyn announced that he would be attending the San Joaquin Farm Bureau (SJFB) Water Advisory Committee meeting to be held on the evening of this board meeting.

President Weststeyn shared news on the recent passing of former SSJID Director Arnold Rothlin, and former San Joaquin County (SJC) Supervisor Adrian Fondse who was an integral player in the construction of New Melones Dam. He expressed his condolences to their families.

Item #2 – Various Reports

Ms. Brown noted that Director Holbrook was logged on to the Zoom meeting but his audio was not connected. Director remote participation requires audio and video access at all times, therefore Director Holbrook had, technically, not yet joined the meeting for the purposes of participation as a Board member.

Mr. Rietkerk provided the Board with a brief hydrology report following the recent rain events. Per the California Nevada River Forecast Center outlook, dated February 27, 2023, New Melones measured at 100,000 acre feet (AF) of inflow and is at ninety percent (90%) exceedance. The next DWR snow survey is anticipated to occur on March 2.

Mr. Rietkerk noted a recent e-article posted on Water Wrights (February 28), by Don A. Wright titled “Water Rights Hearing February 28, 2023.” The article outlines the State Assembly Committee on Water, Parks and Wildlife’s informal hearing on February 28 to modernize water rights. Mr. Rietkerk stated that the State’s intent presents a significant threat to water rights holders and that staff will continue to monitor the issue closely. Ms. Katie Patterson, SSJID Public and Government Relations Manager, added that the hearing will be attended by supporting agencies and non-profits, but that pre-1914 water rights holders would not be present.

Ms. Patterson announced that the California Association of Water Agencies (ACWA) attorneys are developing a proposal outlining its own water rights bill. ACWA has not reached consensus on the language and a proposal had not been received as of February 24. She stated that SSJID has concerns with the proposed ACWA bill. Board discussion pointed out that the ACWA Board is mainly dominated by southern California representatives who may have different priorities than northern California agencies.

Director Holbrook joined the meeting at 9:25 a.m.

Ms. Brown stated Director Holbrook had joined the Zoom meeting with both audio and video, and had met the criteria to attend remotely pursuant to the “emergency circumstances” procedures available under AB 2449, as he was unable to attend the meeting in person due to a family medical emergency. Director Holbrook verified that he was attending to a medical matter that precluded his attendance in person, and announced that Mrs. Holbrook was 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.

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

The motion passed 3 to 0 by the following vote:

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

ACTION CALENDAR

Item #3 – Consider Approval of 52-Week Billboard Lease Renewal Between Outfront Media and SSJID

Ms. Patterson addressed the Board regarding a proposed 52-week billboard lease renewal with Outfront Media. She described the two (2) billboard locations at Highway 120 facing eastbound traffic, and the other at the end of the Austin Road onramp to southbound Highway 99. Ms. Patterson explained that changes to the new billboard advertising would highlight almond blossoms to target the local farm and ranch communities. The new billboard designs could be completed and displayed within three (3) weeks, and an email notification of the new billboards could be sent to District customers.

Staff recommended the Board approve a 52-week agreement with Outfront Media for a total cost of \$49,062.00 plus the costs of vinyl and installation, as necessary; and authorize the General Manager to sign the contract with Outfront Media.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to approve a 52-week agreement with Outfront Media for a total cost of \$49,062.00 plus the costs of vinyl and installation, as necessary; and authorize the General Manager to sign the contract with Outfront Media.

The motion passed 4 to 0 by the following vote:

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

Item #4 – Consider Approval of Amendment to Service Abandonment Agreement for Robert Franceschetti (APN 205-090-49)

Mr. Killingsworth addressed the Board regarding approval of the “Agreement to Amend Irrigation Service Abandonment Agreement” for APN 205-090-49. He explained that the landowners entered into a Service Abandonment Agreement (SAA) in 2011 (Agreement #1603), their intent to amend the existing SAA to flood irrigate the property with existing irrigation valves, and a future potential application for a structure permit to install a new pressurized irrigation system connected to District facilities. Mr. Killingsworth further explained that the District’s Lateral “Be” facility and easement are currently encumbered by multiple unauthorized encroachments including a brush pile near the northeast corner of the property, one (1) large oak-like tree, and approximately thirty-two (32) almond trees within the easement.

Staff confirmed that operations staff could provide flood service per District specifications on a regular rotation as designated and approved by the District, and recommended that all unauthorized and non-permissible encroachments be removed from the District’s easement as a condition of approval, and irrigation valve structures be cleaned out and maintained to ensure proper operation and sealing.

Staff recommended Board approval of the “Agreement to Amend Irrigation Service Abandonment Agreement” for APN 205-090-49 subject to conditions stated below and a revision to the standard agreement that reflects these conditions.

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Approval shall be subject to the terms and conditions specified in the revised policy entitled “Policy for Rescinding Irrigation Service Abandonment.”

Specific conditions for approval that staff recommended include flood irrigation; sprinkler or drip irrigation; one-year provision; and conditional approval upon the removal of the brush pile and all trees planted with 15’ of the District’s pipeline, and that the easement shall remain clear for SSJID vehicular access, maintenance, and monitoring.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to approve the “Agreement to Amend Irrigation Service Abandonment Agreement” for APN 205-090-49 subject to conditions stated above, and a revision to the standard agreement that reflects these conditions.

The motion passed 4 to 0 by the following vote:

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

Item #5 – Discussion and Possible Action to Confirm the Declared Start of the 2023 Irrigation Season as March 9, 2023; or Rescind Resolution 23-05-W Declaring Start of the 2023 Irrigation Season as March 9, 2023 and Adopt Resolution 23-07-W Authorizing the President to Postpone the Start of the 2023 Irrigation Season

Mr. Nakagawa addressed the Board regarding Resolution 23-05-W declaring the start of the 2023 Irrigation Season as March 9, 2023, adopted by Board action on February 14, 2023, and subsequent instruction to bring the item back at the February 28 meeting to reevaluate following recent and potential rain. He noted the upcoming significant rain events and presented options to the Board including to keep the start of Irrigation Season as March 9, or declare a later start date and authorize the President to postpone the date, as needed, following the anticipated wet weather and updated hydrology.

Mr. Rietkerk reported that the last storm produced 1-2.5 inches of rain, 0.50 inch is anticipated from the current storm, and the weather forecasts predict rain events on March 4-5 and March 13-14. He stated that the start date should consider ample advance notice for staff to plan schedules appropriately, and for the Engineering Department to convey deadlines to customers for outstanding permitted work.

Board discussion included keeping the start date at March 9, and changing the start date to March 16.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to declare the start date of the 2023 Irrigation Season as March 16, 2023; and adopt Resolution 23-07-W to Rescind Resolution 23-05-W Declaring Start of the 2023 Irrigation Season as March 9, 2023 and Authorizing the President to Postpone the Start of the 2023 Irrigation Season, as needed.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 23-07-W**

**RESCIND RESOLUTION 23-05-W DECLARING MARCH 9 AS THE START OF THE
2023 IRRIGATION SEASON; AND AUTHORIZING THE PRESIDENT TO
POSTPONE THE START OF THE 2023 IRRIGATION SEASON**

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

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WHEREAS, on February 14, 2023, the SSJID Board of Directors adopted Resolution 23-05-W declaring March 9 as the start of the 2023 Irrigation Season and without extraordinary conservation measures in the form of maximum allotments or Tier II restrictions; and

WHEREAS, precipitation events prior to March 9, 2023 and potentially after could significantly reduce water demands from agricultural customers.

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

1. Rescind Resolution 23-05-W declaring March 9 as the start of the 2023 Irrigation Season; and
2. Declare the Start Date of Irrigation Season as March 16 for purposes of completing outstanding construction permits, and for staff preparedness should local conditions warrant keeping the Irrigation Season start on March 16; and
3. Authorize the President to postpone the start of the 2023 Irrigation Season pending additional precipitation and local conditions.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District at a regular meeting thereof held this 28th day of February, 2023 by the following roll call vote:

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

Item #6 – Consider Approval of Annual Renewal of SSJID Investment Policy

Ms. Sonya Williams, SSJID Finance and Administration Manager, addressed the Board regarding the annual renewal of the SSJID Investment Policy, and reappointment of the Treasurer as the Investment Officer for 2023. She noted one (1) change to the policy located on page 4, Section 6 – Authorized Institutions, which revised Cantella & Company to Cambridge Investment Research, Inc. (Cambridge) as the Investment Advisor, due to the recent merger of the two (2) entities.

Board discussion included coordination with the District’s investment broker, Mr. Kevin Martin, Cambridge Financial Advisor, on his availability to attend a future board meeting.

MOTION: A motion was made by Director Kamper and seconded by Director Roos to approve the annual renewal of the SSJID Investment Policy, and reappoint the Treasurer as the Investment Officer for 2023.

The motion passed 4 to 0 by the following vote:

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

Item #7 – Quarterly Presentation of Financial Statements through December 2022

Ms. William addressed the Board and noted that the financial statements are not completed in entirety, awaiting outstanding entries and completion of the 2022 annual audit process. She gave a quarterly oral presentation of the financial statements through December 2022, and provided detailed explanations of assets; liabilities, deferred inflows/outflows and net position;

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revenues, expenses and changes in net position; actual versus year-to-date budget summaries; cash flows; and cash and investments.

Item #8 – Quarterly Presentation of Investment Report for December 2022

Ms. Williams provided a quarterly oral presentation of the investment report for December 2022 and provided detailed explanations of the components of cash and investments; amounts invested by yield to maturity; breakdown of investments; treasury yields; investment activity; monthly maturities; and rates of inflation.

It was announced that all items on the Closed Session agenda would be discussed. The Board took a brief recess at 9:56 a.m. Director Holbrook exited the meeting at 9:57 a.m.

The Board convened to Closed Session at 10:10 a.m.

Item #9 – CLOSED SESSION

RETURN TO OPEN SESSION

The Board reconvened to Open Session at 11:38 a.m.

Item #10 – 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 #11 – ADJOURNMENT

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

ATTEST:

Danielle Barney, Clerk of the Board