

**MINUTES FOR THE JUNE 28, 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. Director Holbrook led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER WESTSTEYN
ABSENT: SPYKSMA

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

Ms. Sheila Lawton, Business Representative, IBEW Local Union 1245, addressed the Board regarding SSJID-IBEW Memorandum of Understanding (MOU) negotiations. She detailed a timeline of actions since the start of negotiations in November 2021; the offers and counteroffers between IBEW and SSJID; the last, best, and final offer presented by the District; and the subsequent rejection of that offer by the SSJID union members. Ms. Lawton explained concerns regarding medical coverage, work shifts, work conditions, inflation, and the Consumer Price Index (CPI). She urged the Board to direct SSJID staff to reopen negotiations.

Mr. Brian Nevitt, WTP Operator, addressed the Board, listed his previous experience in contract negotiations, and commented on the “no retroactivity” clause in the presented MOU. He emphasized that the SSJID union members take pride in their work and requested Board assistance in directing Management to continue discussions towards resolution acceptable by all parties. Mr. Nevitt stated that his calculations of the proposed cost of living adjustment (COLA) versus the proposed increased medical deduction totaled to a less than 5-percent (5%) wage increase. He thanked the Board for their consideration.

Mr. Chris Whittenburg, SSJID Instrument Control Technician, addressed the Board and commented on wage increases for management, wage increases for employees, and the “no retroactivity” clause in the MOU. He urged the Board to consider all options for negotiation settlement.

Director Holmes thanked all for their public comments.

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$1,169,926.24; Accounts Payable Wires in the amount of \$1,529,482.94; and Payroll dated June 3, 2022 in the amount of \$248,372.57, June 3, 2022 in the amount of \$1,935.73, June 9, 2022 in the amount of \$25,632.87, June 17, 2022 in the amount of \$254,696.33, and June 28, 2022 in the amount of \$4,780.38.
- B. Approval of the Regular Board Meeting Minutes of May 24, 2022
- C. Approval of the Special Board Meeting Minutes of June 7, 2022
- D. Approval of Request to Transfer Property Interest to Xcel Shelling, LP (Lateral “T170dd”)

Director Holbrook addressed Mr. Forrest Killingsworth, SSJID Engineering Department Manager, and noted that the Application for Request to Transfer Property Interests of District had not been signed by the applicant. Mr. Killingsworth responded that the Agreement to Transfer Irrigation Facilities had been signed and notarized by all appropriate parties, thus the unsigned initial application is acceptable.

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- E. Financial Statements for April 2022
- F. Investment Report through April 2022

Director Weststeyn inquired on the WTP reserves of \$3,997,000.00 listed on the April 2022 Investment Report, which were not listed on the March 2022 report. Ms. Sarah Bloom, SSJID Interim Finance and Administration Manager, clarified that the amount shown in April 2022 is the maturity of funds invested which is included as part of the reserve balance.

Director Holbrook noted the potentially favorable investment benefits should the District establish a captive insurance agency. Ms. Bloom stated that she had discussed the option with the District's investment broker, Mr. Kevin Martin, Financial Advisor, Cantella & Co., Inc., and that more research is needed and findings are forthcoming. She added that the District is currently subject to restrictions set forth in the California Government Code which specify acceptable types of investments for public agencies. Ms. Mia Brown, SSJID General Counsel, mentioned that insurance captive formation is a specialized area, and that she had discussed the matter with the District's bond and finance counsel and obtained the contact information of some individuals that might provide further guidance.

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

The motion passed 4 to 0 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook reported that he attended the American Public Powers Association (APPA) 2022 National Conference, on June 10 to June 15, 2022, in Nashville, TN. He commented that it was a very interesting conference and shared information obtained regarding the current energy shortage and projected outcomes; solar vehicles, charging stations, and sustainability; and regulations regarding container shipments and subsequent backload of ships in domestic ports. Director Holbrook highlighted his APPA “Day of Giving” volunteer assignment at Thistle Farms, which was developed to help women surviving prostitution, trafficking, and addiction by providing job training, education on health and nutrition, and support services. He shared that it was endearing to hear the stories of survival and successful recovery.

Director Holbrook noted the Manteca Historical Society Newsletter, March/April 2022 edition, “Member Memory” section. The publication highlighted Mrs. Emma Pettis Pickens, born in Manteca in 1913, who was employed as a secretary for SSJID.

Director Weststeyn reported that he and Director Spyksma met with Mr. Michael Jerzykowski, of R. Torre & Company, regarding integrated agricultural automation.

Director Weststeyn reported that he and Mr. Tony Encalade, SSJID SCADA Technician, met with Mr. AJ Checchettini, of Hortau, on June 27, to discuss a solar powered telemetry unit for growers. Director Weststeyn

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had the initial stages of the unit installation applied to his system on June 27. He will provide the Board with an update once fully implemented.

Director Weststeyn announced a San Joaquin Tributaries Authority (SJTA) Special meeting scheduled for July 11.

Director Kamper stated he had no updates to report.

Director Holmes stated he had no updates to report.

Item #2 – Various Reports

Director Holmes addressed Mr. Ed Erisman, Water Treatment Plant (WTP) Manager, and acknowledged the informational update on the Robert O. Schulz Solar Farm included in the WTP Manager’s Report dated June 28, 2022.

Director Weststeyn addressed Ms. Katie Patterson, SSJID Public and Government Relations Manager, and thanked her for the CV Strategies’ Communications Assessment provided in the Public and Government Relations Manager’s Report dated June 28, 2022. Ms. Patterson responded that the assessment identified SSJID’s strengths, weaknesses, opportunities, and threats and provided a platform for the District to continue to build its communication strategies. She stated that the next steps would be a contract with CV Strategies of recommendations to advance the communications objectives of the District. A formal request will be presented to the Board at the next regular board meeting.

Ms. Patterson noted upcoming community events including:

- Manteca Chamber of Commerce Installation Dinner on June 30
- San Joaquin Farm Bureau (SJFB) 108th Annual Meeting on July 7
- Garden Joy “Farm to Fork” Sponsor Appreciation Event on July 9
- Friends of Manteca Parks & Recreation Foundation “Jim Brown Annual Golf Tournament” on July 15
- Ripon Chamber of Commerce Installation Dinner on July 20

Directors interested in participating in any upcoming events should contact Ms. Patterson.

Director Holmes acknowledged Ms. Bloom and thanked her for her efforts as Interim SSJID Finance and Administration Manager.

Director Holbrook reported that he participated in an SSJID-sponsored foursome for the Manteca Children’s Foundation “Antone Raymus Golf Tournament” on June 17. Additional participants included Mr. James Ferguson, SSJID Shop Department Supervisor; Mr. Joe Hasten, SSJID Irrigation Services Supervisor; and Mr. Frank Avila, SSJID Irrigation Operations Manager. Ms. Patterson added that the District was presented with a plaque for the “Birdie” sponsorship of the event, which was passed to the Board for viewing.

Mr. Peter Rietkerk, SSJID General Manager, commended Ms. Bloom and thanked her for filling in as Interim SSJID Finance and Administration Manager.

Mr. Rietkerk announced that Ms. Sonya Williams is set to begin work on July 5, as the SSJID Finance and Administration Manager.

Mr. Rietkerk noted recent activity of the State Water Resources Control Board (SWRCB), on June 7, 2022, regarding the issuance of curtailments for a number of water rights holders within tributaries to the Sacramento-

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San Joaquin Delta, including SSJID. SSJID water counsel and staff met with the SWRCB, on June 9, to understand the methodology for curtailments since junior water rights holders within the greater Sacramento-San Joaquin Delta watershed had not been curtailed. SSJID and Oakdale Irrigation District (OID) submitted a formal request for review and correction on June 17, which was received and is currently being reviewed by the SWRCB. He added that the curtailments will not affect the District's 2022 water supply and will have no major impacts to water delivery. Due to the imposed curtailment, staff terminated the temporary water transfer with Stockton East Water District (SEWD).

Mr. Rietkerk announced recent notification from SWRCB enforcement staff regarding a field visit to verify diversion points for the District water rights. The field visit may occur as early as July 1.

Mr. Rietkerk stated that he received a voice mail, on June 23, from Mr. Eric Oppenheimer, SWRCB Chief Deputy Director. The voice mail referenced the SWRCB draft initial biological goals for the Lower San Joaquin River, and the agency's intent to proceed with notices of preparation to develop regulations to implement the Water Quality Control Plan. Staff is monitoring the issue closely as the outcome could significantly impact the District's water supply.

Mr. Rietkerk reported that he attended the APPA 2022 National Conference, on June 10 to June 15, 2022, in Nashville, TN. The conference highlighted current national issues including staff and labor, inflation, and supply chain issues. He noted sessions including "Supply Chain Management in a Post-Pandemic World" by Mr. Willy Shih, Professor of Management Practice – Harvard Business School and global authority on supply chain management; and "Seismic Surprises and the Economy" by Marci Rossell, Expert Economic Forecaster and former Chief Economist for CNBC.

ACTION CALENDAR

Item #3 – Consider Adoption of Resolution 22-20-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper to adopt Resolution 22-20-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION No. 22-20-Y**

**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS
DURING A PROCLAIMED STATE OF EMERGENCY**

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings; and

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so; and

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

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WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing; and

WHEREAS, the Board of Directors previously adopted Resolution No. 21-29-Y authorizing teleconferencing until February 24, 2022, and the conditions under which that Resolution was adopted remain unchanged.

NOW THEREFORE, the Board of Directors hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The Board of Directors (“Board”) of the South San Joaquin Irrigation District (“District”) finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency; and
 - b. State or local officials have imposed or recommended measures to promote social distancing.
3. District staff is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
4. Full participation by the public in meetings covered under the provisions of this Resolution is facilitated through the teleconferencing platform.
5. This Resolution shall take effect **June 28, 2022** and shall remain in effect for thirty (30) days thereafter (until July 28, 2022), provided the conditions set forth in Section 2 remain.
6. This Resolution repeals and replaces Resolution 22-16-Y.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District this 28th day of June 2022, by the following vote:

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

Item #4 – Step 3 Grievance Hearing Regarding Missed Meal Periods

Mr. Rietkerk addressed the Board and stated that the agenda Item #4 staff report provides overviews of District actions regarding the grievance in question; the MOU between SSJID and IBEW Local 1245 dictating the

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timeline and procedures of the grievance process; and Article 2.2.D.2. of the MOU regarding schedules for Division Managers and Main Distribution Canal Control Room Employees; and copies of IBEW correspondence to the District.

Ms. Lawton addressed the Board and presented a detailed argument regarding the missed meal period grievance alleging geographical restrictions and maintaining a cellular phone line did not constitute a meal period. She stated the Union had obtained legal opinion regarding California law which justified that the employees' restrictions and active phones during meal periods constituted paid time, and therefore compensable. Copies of the written legal opinion were distributed to the Board. Ms. Lawton added that the Division Managers want to do their jobs and be justly compensated, and alleged that the District's established practice regarding meal periods has been a violation of the law.

Board discussion included compliments to the Division Managers on their dedication and commendable work; that time is needed to review the legal opinion handout; that a District response would be provided by the June 30 deadline; and that the ideal resolution is a contract acceptable by all parties. Ms. Lawton responded that the Union would not object to extending the June 30 deadline.

Ms. Brown addressed Ms. Lawton and inquired as to the nature of the correspondence Ms. Lawton distributed directly to the Board of Directors, as there did not appear to be a date nor signature on the document, yet it appeared to be a letter providing legal advice directly to the Board of Directors and the District. Ms. Lawton responded that the Union is represented by Leonard Carder, LLP, and that Ms. Brown's comments were irrelevant.

Mr. Rietkerk thanked the employees that attended the Board meeting including but not limited to Mr. Tom Lindsey, SSJID Mechanic Helper; Ms. Greg Wallace, SSJID Maintenance Worker; Mr. Dave Pauley, SSJID Maintenance Worker; Mr. Colin Hodge, SSJID Maintenance Worker; and Mr. Hasten. He expressed appreciation, on behalf of the District's Senior Leaders, for the work of all employees, the rapport and exchange between Division Managers and customers, the importance of the Division Managers in carrying SSJID's founding purpose, and the willingness of the entire Irrigation Department to cover shifts and step up to complete a job well done.

In response to the missed meal period grievance, Mr. Rietkerk provided detailed explanations of the 12-hour shift schedule of Division Managers which includes two (2) 30-minute meal periods, the District's compensation for hours worked, the District's compensation of overtime for meal periods missed due to time-sensitive and/or urgent work matters, the District's due diligence to follow law and compensate employees, and the District's open communication with designated Shop Stewards regarding the issue. Mr. Rietkerk summarized by stating that the District is required to follow regulations of the Fair Labor Standards Act (FLSA) but is otherwise generally exempt from state meal and rest period laws, and that the "legal opinion" presented by Ms. Lawton had not been provided beforehand to allow adequate review by the Board.

Director Holmes stated that the Board will take comments into consideration and render a decision on the matter. Ms. Lawton expressed that she was agreeable to affording the Board additional time to consider the matter beyond June 30, 2022 date determined by the grievance procedures.

Item #5 – Consider Adoption of Resolution 22-18-V Authorizing and Directing Sale of District Vehicles as Surplus Property

Mr. Ferguson addressed the Board regarding Board approval to sell, as surplus, one of the District's retired dump trucks. He stated that offers have been received from Idaho and Nevada, with consideration also being given to auction. The Board commented on the high fees when selling through an auction house.

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MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to adopt Resolution 22-18-V Authorizing and Directing Sale of District Vehicles as Surplus Property.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 22-18-V**

AUTHORIZING AND DIRECTING SALE OF DISTRICT VEHICLE AS SURPLUS PROPERTY

WHEREAS, the South San Joaquin Irrigation District (“District”) may sell as “surplus property” for valuable consideration, any property of the District which is determined to be no longer necessary for District purposes; and

WHEREAS, the District Board of Directors finds the following described vehicle no longer necessary for District purposes. The C.A.R.B. Truck and Bus Regulation requires replacement of diesel powered vehicles with a GVWR of 14,001 and higher. The replacement schedule is based on GVWR and Engine Model Year.

<u>DISTRICT I.D. No.</u>	<u>VEHICLE TYPE</u>	<u>VIN NUMBER</u>
280-06	2006 International 10 wheel Dump	1HTWNAZR96J262690

and

WHEREAS, the Board finds it in the best interests of the District to dispose of said vehicle by sale, using reasonable efforts to obtain the best possible sales-price.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED,

1. The Board of Directors authorizes the District Shop Supervisor to use his professional judgement in determining the most appropriate means of effectuating a sale of said vehicle at the best possible sales price, including, but not limited to: sale at public or on-line auction; placing vehicle with a dealer for consignment sale; or sale by published advertisement and receipt of sealed bids.
2. The Finance and Administration Department Manager is authorized and directed to do all things necessary and proper, including execution of all documents, to execute the sale of said vehicle and transfer title thereto.

PASSED AND ADOPTED this 28th day of June, 2022, by the following vote:

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

Item #6 – Consider Approval of Purchase for Replacement Solar Inverter Converter Control Unit Board from Schneider Electric

Mr. Erisman addressed the Board via the online Zoom meeting platform, regarding the purchase of a replacement solar inverter Converter Control Unit (CCU) board from Schneider Electric (Schneider) for \$41,058.58 including tax and shipping. He provided a detailed explanation of equipment and functions at the Robert O. Schulz Solar Farm (Solar Farm), repairs and maintenance of said equipment, and reoccurring failures of the existing power inverters due to the CCU board.

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In the past, staff had removed the CCU board and shipped to Schneider in North Carolina for repairs when necessary. Mr. Erisman explained that the turnaround time to receive the repaired CCU board can take 4-6 weeks for a cost of \$1,500.00, and costing the District a loss of \$10,000.00 to \$12,000.00 production per month for each failed inverter. Schneider currently has a District CCU board for repair with no anticipated completion date. The estimated loss in production due to the current failed CCU board is \$31,000.00.

Staff recommended the purchase of a spare CCU board thus reducing downtime to 4-6 days as opposed to 4-6 weeks. Mr. Erisman added that the lead time to receive the new CCU board is nine (9) months.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to approve the purchase for a replacement Solar Inverter Converter Control Unit Board from Schneider Electric for \$41,058.58 including tax and shipping.

The motion passed 4 to 0 by the following vote:

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

Board discussion included mention that solar equipment is generally not guaranteed after five (5) years, and to contact Chris Tuggle, Tri-Dam Project Operations and Maintenance Manager, regarding resources and vendors for solar equipment and maintenance.

The Board took a brief recess at 10:30 a.m. and reconvened to Open Session at 10:40 a.m.

Item #7 – Canyon Tunnel Project Update and Consideration of Authorization to Proceed with Identified Near-Term Activities

Mr. Killingsworth addressed the Board to seek direction on proceeding with activities regarding planning, permitting, and design of the Canyon Tunnel Project, and provide an update on the project status. He prefaced the update by acknowledging OID for their contributions towards the project.

Mr. Killingsworth provided an update of activity over the past year on the 60% Design Phase, and gave a review of the proposed four (4) alternatives for tunnel inlets upstream of Goodwin Dam (2 variations) versus downstream of Goodwin Dam (2 variations), and possible fish screen requirement for the upstream portals contingent upon the determination of the District’s Lake and Streambed Alteration (LSA) application to the California Department of Fish and Wildlife (CDFW). He explained the LSA application process, required California Environmental Quality Act (CEQA) and Mitigated Negative Declaration (MND) documents, and CDFW’s response time(s) to the LSA application.

Mr. Killingsworth gave a detailed explanation of the District’s LSA application status, which was submitted to CDFW on May 5, 2022, deemed complete, and assigned to Zachary Kearns, CDFW Environmental Scientist. CDFW has until August 5, 2022 to return a draft LSA Agreement to the District for review. If CDFW fails to provide a draft agreement prior to the deadline, the application will be deemed complete by operation of law and the District would be cleared to proceed without an agreement, provided the project is conducted as described in the original application.

Provost & Pritchard (P&P) was contracted by the District through an Request for Proposal (RFP) process to prepare the CEQA documents and support SSJID in other environmental permits required for the project.

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Through communications between P&P and Mr. Kearns, the District received a favorable indication that CDFW would not require a fish screen for the upstream portals.

Staff recommended that all planning and design aspects of the Canyon Tunnel Project – Alternative 1A resume under the assumption that the requirement for a fish screen will not be included in the LSA Agreement, although a draft LSA agreement had not yet been received from CDFW. The alternative would be for the District to wait until August 5 for CDFW to either present a draft LSA Agreement, or allow the statutory deadline to lapse.

Mr. Killingsworth listed near-term action items including Tribal consultation and field visits, formal completion of the 60% Design Report, submission of the CEQA documents to the State Clearinghouse, the application process for environmental permits to the California Regional Water Quality Control Boards (RWQCB) and the United States Army Corps of Engineers (USACE), preparation of the 90% Design Proposal, and landowner negotiations. He stated that all future work had been approved in the SSJID and OID budgets.

Board discussion included to refine and present the Canyon Tunnel Project Update at the Tri-Dam Board meeting on July 21; to update Mr. Scot Moody, OID General Manager on project status prior to the Tri-Dam Board meeting; to invite Mr. Scott Lewis, P&P Principal Tunneling Consultant, to the Tri-Dam Board meeting; the safeguards against natural disasters provided by the tunnel inlet Alternative 1A; and to wait on CDFW's determination, on August 5, before moving forward with the planning and design aspects of the project, thus requiring no Board direction.

The next item was taken up following Closed Session.

Item #8 – Discussion Regarding the Water Transfer Agreement By and Between SSJID and Mountain House Community Services District (MHCS), and Consider Adoption of Resolution 22-21-W Approving Cancellation of the Temporary Water Transfer Agreement By and Between SSJID and MHCS

It was announced that all items listed in the Closed Session agenda would be discussed. The Board took a brief recess at 11:17 a.m. and convened to Closed Session at 11:25 a.m.

Item #9 – CLOSED SESSION

- 9. 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
 - 1 case

- c. Conference with Legal Counsel – Existing Litigation
 - Paragraph (1) of subdivision (d) of Government Code Section 54956.9
 - 11 cases

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

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*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

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

Department of Transportation vs. Fassler et al.
San Joaquin County Superior Court
STK-CV-UED-2022-0000584

Department of Transportation vs. Fassler et al.
San Joaquin County Superior Court
STK-CV-UED-2022-0000627

7/11 Materials INC v. Auburn Constructors et al.
Stanislaus County Superior Court
CV-22-001717

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

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- i. Property: Water
 Negotiating Parties: Oakdale Irrigation District, Chicken Ranch Rancheria Band of Me-Wuk Indians, and 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

 - iii. Property: Lateral Z 200dd
 Negotiating Parties: Sidhu Parmvir Singh
 District Negotiator: General Manager
 Under Negotiation: Price and terms of payment of sale

 - iv. Property: Lateral Q/Qc Regulation Reservoir
 Negotiating Parties: Wine Group, LLC
 District Negotiator: General Manager
 Under Negotiation: Price and terms of payment of sale

 - v. Property: French Camp Outlet Canal Regulation Reservoir
 Negotiating Parties: Maan Gurvinder S
 District Negotiator: General Manager
 Under Negotiation: Price and terms of payment of sale

 - vi. Property: 682 S. Main Street, Manteca
 Negotiating Parties: City of Manteca
 District Negotiator: General Manager
 Under Negotiation: Price and terms of payment of sale

 - vii. Property: Water
 Negotiating Parties: Mountain House Community Services District
 District Negotiator: General Manager
 Under Negotiation: Price and terms
- e. Labor Negotiations
California Government Code Section 54957.6
Agency Negotiator: General Manager
Employee Organization: IBEW Local 1245
- f. Public Employment
California Government Code Section 94957(b)(1)
Classifications: Finance Administration Manager, Electric Utility Manager

RETURN TO OPEN SESSION

The Board reconvened to Open Session at 2:34 p.m.

Item #10 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

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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 #8 – Discussion Regarding the Water Transfer Agreement By and Between SSJID and Mountain House Community Services District (MHCS), and Consider Adoption of Resolution 22-21-W Approving Cancellation of the Temporary Water Transfer Agreement By and Between SSJID and MHCS

MOTION: A motion was made by Director Weststeyn and seconded by Director Kamper to adopt Resolution 22-21-W Approving Cancellation of the Temporary Water Transfer Agreement By and Between SSJID and MHCS, and direct the General Manager to negotiate the final terms of the cancellation.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 22-21-W**

**RESOLUTION APPROVING CANCELLATION OF THE
TEMPORARY WATER TRANSFER AGREEMENT
BY AND BETWEEN SOUTH SAN JOAQUIN IRRIGATION DISTRICT AND
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

WHEREAS, the South San Joaquin Irrigation District (“SSJID”) is a California irrigation district operating under and by virtue of Division 11 of the California Water Code; and

WHEREAS, Mountain House Community Services District is a California community services district governed by Division 3 of Title 6 of the California Government Code and a legal subdivision of the State of California; and

WHEREAS, Mountain House Community Services District has declared a Stage 3 Water Shortage Emergency and was faced with the threat of having their water supply curtailed by the State Water Resources Control Board; and

WHEREAS, Mountain House Community Services District had determined that due to ongoing and severe drought conditions, curtailed water supplies were projected to be inadequate to meet the community’s health and safety needs; and

WHEREAS, approved Resolution 22-19-W Approving a Water Transfer Agreement with the Mountain House Community Services District to supplement their curtailed water supplies enabling them to meet their community’s health and safety needs; and

WHEREAS, Mountain House Community Services District and SSJID, on or about June 8, 2022, entered into a Temporary Water Transfer Agreement; and

WHEREAS, shortly after June 8, 2022, Mountain House Community Services District was notified by the State Water Resources Control Board that under current circumstances, curtailment would not occur in 2022; and

WHEREAS, Mountain House Community Services District requested to cancel the Temporary Water Transfer Agreement and all associated payment provisions; and

WHEREAS, Mountain House Community Services District offered to pay a cancellation fee to cover SSJID staff and operational costs incurred; and

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WHEREAS, Mountain House Community Services District indicated an interest in a long-term water transfer agreement for future droughts.

NOW, THEREFORE, BE IT RESOLVED that the South San Joaquin Irrigation District Board of Directors does hereby approve canceling the temporary water transfer agreement with the Mountain House Community Services District and authorizes the General Manager to negotiate the final cancellation fee and effectuate the cancellation.

PASSED AND ADOPTED this 28th day of June 2022 by the following vote:

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

Item #11 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:35 p.m.

ATTEST:

Danielle Barney, Clerk of the Board