

**MINUTES FOR THE JULY 12, 2022
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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

DIRECTORS: HOLBROOK 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 – None

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$232,242.30; Accounts Payable Wires in the amount of \$317,623.67; and Payroll dated June 30, 2022 in the amount of \$75.39, July 1, 2022 in the amount of \$242,313.67, July 1, 2022 in the amount of \$1,319.83, and July 1, 2022 in the amount of \$5,557.48.

- B. Approval of the Regular Board Meeting Minutes of June 28, 2022

MOTION: A motion was made by Director Weststeyn and seconded by Director Kamper 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 Kamper stated he had no updates to report.

Director Weststeyn reported that he attended the San Joaquin Tributaries Authority (SJTA) Special Commission meeting on July 11. Topics discussed will be disclosed to the Board during Closed Session.

Director Weststeyn reported that he had communications with a landowner regarding drainage issues. He will contact Mr. Forrest Killingsworth, SSJID Engineering Department Manager, for further discussion.

Director Holbrook reported that he attended the San Joaquin Farm Bureau (SJFB) Advisory Committee meeting on June 28. Discussion topics included issues regarding well permit approvals.

Director Holmes stated that he had noticed an abundance of Pacific Gas & Electric (PG&E) equipment being staged at the Robert O. Schulz Solar Farm, and that a review of the agreement with PG&E should be conducted for clarification of allowed storage on the District site. Ms. Mia Brown, SSJID General Counsel, responded that when the contract with PG&E was renewed, PG&E agreed to less storage area in lieu of the District’s proposed fee increase. Ms. Brown will review the agreement to identify any violations by PG&E regarding their footprint on SSJID property.

Director Holmes addressed Mr. Ed Erisman, SSJID Water Treatment Plant (WTP) Manager, regarding the deteriorated signage located at Woodward Reservoir and commented that the signs need to be replaced.

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Director Holmes announced the Eastern San Joaquin Groundwater Authority (ESJGWA) Board, and ESJGWA Steering Committee meetings to be held on July 13. Discussion topic will include the revised ESJGWA Groundwater Sustainability Plan (GSP), which is near adoption by the ESJGWA Groundwater Sustainability Agencies (GSAs), and must be submitted to the California Department of Water Resources (DWR) by July 27.

Item #2 – Various Reports

Mr. Peter Rietkerk, SSJID General Manager, announced the onboarding of Ms. Sonya Williams, as SSJID Finance and Administration Manager. Ms. Williams’ first day of employment was on July 5, and she has been participating in orientations with the District’s Senior Leaders.

Director Holmes welcomed Ms. Williams to SSJID.

Ms. Williams thanked the Board for the opportunity and expressed eagerness and excitement to be part of an amazing team.

Mr. Rietkerk announced that interviews for SSJID Electric Utility Manager are scheduled for July 13.

Mr. Rietkerk announced that SJTA member agencies are coordinating a workshop, to be held on July 18, to discuss comments and approaches regarding the State Water Resources Control Board (SWRCB) biological goals for the Lower San Joaquin River, and Water Quality Control Plan (WQCP).

Mr. Rietkerk stated that he has been working with Mr. Scot Moody, Oakdale Irrigation District (OID) General Manager, and Sharon Cisneros, OID Chief Financial Officer, regarding Tri-Dam Project issues including staff coverage, and critical financial functions. He added that Ms. Brown has been assisting with personnel issues, and discussions are forthcoming among the Tri-Dam joint boards regarding general manager and financial officer functions. Near-term items include the 2022-2023 insurance renewal which Mr. Rietkerk will prepare for presentation at the Tri-Dam board meeting on July 21; and Tri-Dam’s annual distribution of revenue which has been postponed to August. He summarized by commending the Tri-Dam team on their initiative to help keep Tri-Dam running strong through the management transition.

ACTION CALENDAR

Item #3 – Discuss and Approve Board Appointment of District Officers

Ms. Sarah Bloom, SSJID Assistant Finance and Administration Manager, addressed the Board regarding the appointment of Ms. Williams to the offices of Assistant Secretary; and Assessor, Treasurer, and Collector previously held by Ms. Bloom during her position as Interim Finance and Administration Manager.

Director Holbrook noted that Ms. Williams’ title of Finance and Administration Manager should appear before her name on the board appointments.

MOTION: A motion was made by Director Weststeyn and seconded by Director Holbrook to appoint Ms. Sonya Williams to the District offices of Assistant Secretary; and Assessor, Treasurer, and Collector, effective immediately. The motion passed 4 to 0 by the following vote:

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

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Item #4 – Consider Adoption of Resolution 22-22-F Update Signature Card with Financial Institution

Ms. Bloom addressed the Board and explained that the proposed resolution will add Ms. Williams as a signatory as SSJID Finance & Administration Manager, and Assistant Secretary.

MOTION: A motion was made by Director Kamper and seconded by Director Weststeyn to adopt Resolution 22-22-F Update Signature Card with Financial Institution.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 22-22-F**

UPDATE SIGNATURE CARD WITH FINANCIAL INSTITUTIONS

TO BE EFFECTIVE JULY 12, 2022

WHEREAS, Sonya Williams has filled the position of Finance & Administration Manager, and

WHEREAS, the South San Joaquin Irrigation District (District) must update its signature cards with its financial institutions.

THEREFORE, BE IT RESOLVED, that any one of the following named Directors,

John Holbrook
Robert Holmes
Dave Kamper
Glenn Spyksma
Mike Weststeyn

and any one of the following named District staff,

Peter M. Rietkerk, General Manager and Secretary
Sonya Williams, Finance & Administration Manager and Assistant Secretary
Sarah Bloom, Assistant Finance & Administration Manager

are authorized to co-sign checks for and on behalf of the District drawn on the District's checking account.

BE IT FURTHER RESOLVED, that any one of the above noted staff is authorized to sign payroll checks, drafts, direct deposits, ACH transactions, and wires drawn on the District's checking account, or other orders for and on behalf of the District.

PASSED AND ADOPTED this 12th day of July 2022 by the following roll call vote:

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

Item #5 – Consider Approval of Award of Contract for Main Distribution Canal Control Room Restoration Project

Mr. Chad Parsons, SSJID Associate Civil Engineer, addressed the Board and provided background of the Control Room Restoration Project to expand the footprint of the District site, and restore the embankments of the Van Groningen Reservoir located at 21762 South Carrolton Road. He provided a detailed description of the planned

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improvements, and the work completed in Phase 1 of the project including rough grading, and shotcrete on the slopes of the embankment around the Control Room Building.

On May 2, 2022, staff sent an invitation to bid for the remaining improvements (e.g. sewer, electrical, paving, signage, American with Disabilities (ADA) access compliance) to be completed within 120 days from the date of the Notice to Proceed. Sixteen (16) bid invitations were sent to prospective bidders, four (4) prospective bidders attended the mandatory onsite pre-bid meeting on May 18, and one (1) bid was submitted from Dirt Dynasty, Inc. (Dynasty) for the amount of \$595,000.00. Negotiations with Dynasty concluded that the contractor will install the Control Room electrical conduits and pole boxes, and District staff will complete the electrical wiring work lessening the bid amount by approximately \$195,000.00 for a final bid amount of \$478,728.00.

Staff recommended that the Board approve the award of contract for the 2022 Main Distribution Canal (MDC) Control Room Restoration Project to Dirt Dynasty, Inc. in the amount of \$478,728.00.

Board discussion included that staff be present to observe the compaction phase of the project as well as the compaction tests, that a concrete slump test is not required since only sidewalks and miscellaneous flatwork will be poured, and the reason for the initial high bid amount.

MOTION: A motion was made by Director Weststeyn and seconded by Director Holbrook to approve the award of contract for the 2022 MDC Control Room Restoration Project to Dirt Dynasty, Inc. in the amount of \$478,728.00 and to authorize the General Manager to approve change orders, the sum of which must not exceed the General Manager’s spending authority.

The motion passed 4 to 0 by the following vote:

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

Item #6 – Consider Amendment of Professional Services Agreement with CV Strategies for Communications and Public Relations Services, and Approve Proposed Rate and Fee Schedule Not to Exceed \$50,000 through December 31, 2022

Ms. Katie Patterson, SSJID Public and Government Relations Manager, addressed the Board regarding the Professional Services Agreement (PSA) with CV Strategies for communications and public relations services, and proposed rate and fee schedule for a not-to-exceed amount of \$50,000.00. She introduced Ms. Tara Bravo, CV Strategies Senior Vice President, who was attending via the online Zoom meeting platform. Ms. Patterson provided background of the 3-month contract with CV Strategies (Phase 1), approved by Board action on April 12, 2022, which included an assessment conducted by the consultant that identified SSJID’s strengths, weaknesses, and opportunities for improvements. In addition, at the end of the 3-month period, staff was directed to present a proposed plan for Board approval including revised scope of services, with an updated schedule and budget.

Ms. Patterson explained a proposed Communications Implementation Timeline, which is a general “menu” that SSJID can consider for implementation of approaches to annual outreach and communication strategies. She further explained CV Strategies’ identified tasks to move SSJID towards its goal to effectively promote branding, internal communication, community and customer engagement, digital presence, media, and partnerships. Ms. Patterson added that staff and the Public Relations Committee will prioritize the proposed tasks and plan for additional priorities, projects, and resources leading into the 2023 budget year.

Staff recommended that the Board amend the PSA with CV Strategies for communications and public relations services by approving the proposed Rates and Fee Schedule contained in the 2022-2023 Communications Timeline and Proposed Rates, and set a not-to-exceed amount for \$50,000.00 through December 31, 2022.

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Ms. Brown clarified that the Board would not be amending the PSA with CV Strategies, but rather issuing a task order under the existing PSA with a not-to-exceed amount of \$50,000.00.

Ms. Bravo thanked the Board and stated that CV Strategies will narrow their scope of work based on the District's targeted approach. She expressed excitement for the opportunity to help navigate the District to build awareness, beyond the agricultural customers, of SSJID's services.

The Board expressed excitement for SSJID's new public relations campaign, and discussed the work ahead to implement the messaging; the abundance of material available documenting the District's history and historical events; to consider Mr. Dennis Wyatt, Manteca Bulletin Editor, as an additional resource of the District's history and historical events; and ideas for messaging, including data of surface water versus agricultural water usage, and combating the misinformation/misconception regarding the overuse of agricultural water.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to issue a task order under the existing Professional Services Agreement with CV Strategies for communications and public relations services, and approve the proposed rate and fee schedule for a not to exceed amount of \$50,000.00 through December 31, 2022.

The motion passed 4 to 0 by the following vote:

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

The next item was taken up following Closed Session.

Item #7 – Consider Adoption of Resolution 22-23-W Rescinding Resolution 22-21-W and Directing the General Manager to Effectuate the Water Transfer per Resolution 22-19-W By and Between SSJID and Mountain House Community Services District

It was announced that all items listed in the Closed Session agenda would be discussed. The Board took a brief recess at 9:45 a.m. and convened to Closed Session at 9:55 a.m.

Item #8 – CLOSED SESSION

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

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

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

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

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

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

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

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

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

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d. Conference with Real Property Negotiator

California Government Code Section 54656.8

- i. Property: Water
Negotiating Parties: Oakdale Irrigation District, Chicken Ranch Rancheria Band of Me-
Wuk Indians, 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 54957(b)(1)

Classifications: Electric Utility Manager

g. Public Employee Performance Evaluation

California Government Code Section 54957(b)(1)

Title: General Counsel

RETURN TO OPEN SESSION

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The Board reconvened to Open Session at 12:10 p.m.

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

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

Item #8.e. – Labor Negotiations, California Government Code Section 54957.6, Agency Negotiator: General Manager, Employee Organization: IBEW Local 1245

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to deny the grievance, presented by employee organization IBEW Local 1245 under California Government Code Section 54957.6, and send the Board’s rendered decision to Ms. Sheila Lawton, Business Representative, IBEW Local 1245.

The motion passed 4 to 0 by the following vote:

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

Item #7 – Consider Adoption of Resolution 22-23-W Rescinding Resolution 22-21-W and Directing the General Manager to Effectuate the Water Transfer per Resolution 22-19-W By and Between SSJID and Mountain House Community Services District

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to adopt Resolution 22-23-W Rescinding Resolution 22-21-W and Directing the General Manager to Effectuate the Water Transfer per Resolution 22-19-W By and Between SSJID and Mountain House Community Services District.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 22-23-W**

**RESOLUTION RESCINDING RESOLUTION 22-21-W AND DIRECTING THE GENERAL MANAGER
TO EFFECTUATE THE WATER TRANSFER PER RESOLUTION 22-19-W
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, the SSJID Board 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

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

WHEREAS, the SSJID Board approved Resolution 22-21-W canceling the Water Transfer Agreement with the Mountain House Community Services District and directing staff to negotiate a cancellation fee; and

WHEREAS, on July 7, 2022, the State Water Resources Control Board issued a curtailment order impacting the Mountain House Community Services District's ability to meet its health and safety needs; and

WHEREAS, Mountain House Community Services District has again requested that SSJID enter into a temporary water transfer agreement for supplemental water to meet their health and safety needs.

NOW, THEREFORE, BE IT RESOLVED that the South San Joaquin Irrigation District Board of Directors does hereby rescind Resolution 22-21-W and directs the General Manager to effectuate the water transfer with Mountain House Community Services District per Resolution 22-19-W.

PASSED AND ADOPTED this 12th day of July 2022 by the following vote:

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

Item #10 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 12:14 p.m.

ATTEST:

Danielle Barney, Clerk of the Board