

**MINUTES FOR THE SEPTEMBER 26, 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. Director Spyksma led the flag salute. Upon roll call the following members were noted present:

DIRECTORS:           HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN  
ABSENT:               NONE

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 \$363,174.79; Accounts Payable Wires in the amount of \$748,208.25; and Payroll dated September 13, 2023 in the amount of \$500.00, September 22, 2023 in the amount of \$4,203.19, and September 22, 2023 in the amount of \$320,426.87.
- B. Approval of the Regular Board Meeting Minutes of September 12, 2023
- C. Approval of Notice of Completion for the 285 Austin Road Project
- D. Financial Statements through August 2023
- E. Investment Report for August 2023

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

The motion passed 5 to 0 by the following vote:

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

**COMMUNICATIONS**

**Item #1 – Directors’ Reports**

Director Roos discussed the groundbreaking of the Orestimba Creek Recharge and Recovery Project in Newman, which will allow underground storage of surface water diverted to approximately 80-acres of percolation ponds for storage in the underlying Delta-Mendota Subbasin. The project is a joint collaboration of the Central California Irrigation, and Del Puerto Water Districts.

Director Kamper stated that there were no updates to report.

Director Spyksma reported that he attended a San Joaquin Tributaries Authority (SJTA) Special Commission meeting on September 21, which discussed action to file a challenge to the State Water Resources Control

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

Board's (SWRCB) recent adoption of the Draft Final Initial Biological Goals for the Lower San Joaquin River. He described the revised unattainable flow objectives, and the State's prerogative to increase flows "at will." Any legal recourse has the full support of the SJTA members. The deadline to file a challenge is October 6.

Director Holbrook reported that he participated in the SSJID Community Leaders Tour on September 14, which included tours of Tulloch Reservoir, Goodwin Dam, the Canyon Tunnel, Woodward Reservoir, the Nick C. DeGroot Water Treatment Plant (WTP), and the Division 9 Pressurized System. He commended staff for their excellent, informative presentations.

Director Holbrook shared about a recent personal trip to his annual Navy reunion in Dayton, Ohio. Highlights included a tour of the Air Force Museum which encompassed four (4) massive building structures and housed military planes of the past, present and future. He marveled at the great advances made during the history of aviation.

President Weststeyn reported that he attended the SJTA Special Commission meeting on September 21.

**Item #2 – Various Reports**

Director Holbrook addressed Ms. Sonya Williams, SSJID Finance and Administration Manager, regarding the Finance and Administration Manager's Report, dated September 26, 2023, and commended her for the report formatting. He stated that her bulleted report is an easy document to navigate and read, and acknowledged the improvements made on investment returns.

Director Holbrook addressed Mr. Forrest Killingsworth, SSJID Engineering Department Manager, and inquired about any updates on The Wine Group's regulation reservoir, to which Mr. Killingsworth responded that the issue would be a topic of discussion in Closed Session.

Director Spyksma addressed Mr. Killingsworth, and inquired about any updates regarding improvements to the French Camp Outlet Canal (FCOC). Mr. Killingsworth stated that the Draft FCOC Master Plan Study (Study), conducted by Carollo Engineers, Inc. (Carollo) in 2021, determined required improvements to minimize flood risk under current and long-term flow conditions and that the draft document was submitted to the City of Manteca (City) for adoption.

Mr. Killingsworth explained that the City's preference is to defer adoption of the Study due to recent changes to the City General Plan, adopted by City Council in June 2023, regarding land use projections and development improvements that necessitate further updates to the hydraulic model. He stated that Carollo has submitted a proposal to the City to update and complete the Study, and that there have been discussions with City staff regarding each parties' responsibility for the cost of the update. Staff recommended that SSJID should only pay for costs associated to the District, and that the City should be responsible for costs associated to the City.

President Weststeyn addressed Mr. Frank Avila, SSJID Irrigation Operations Manager, and inquired if the Magnacide applications have been completed for the year, to which Mr. Avila responded in the affirmative.

SSJID General Manager Peter Rietkerk passed to the Board, for viewing, a card received from Director Holbrook thanking the District for their support following the recent passing of his brother.

Mr. Rietkerk referenced the SSJID Community Leaders Tour on September 14, and noted the opportunity to show local leaders SSJID's facilities and give them an overview of the wide range of District's activities and operations necessary to provide irrigation and treated water supply to local communities. He has received

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

positive feedback from participants.

Mr. Rietkerk reported on the status of the Strategic Plan Update and stated that initial Bell Burnett & Associates (BB&A) interviews with the Board and staff have been completed. Round Two interviews are being scheduled with additional staff, and remaining Directors' interviews will be conducted following the end of harvest season. BB&A will develop a survey for employees to identify and/or provide feedback on strategies, issues, and/or concerns. Mr. Rietkerk stated that it has been a pleasure working with BB&A, and that BB&A has provided positive comments regarding staff and Board engagement in the Round One interviews. Finalization of the Strategic Plan Update is anticipated for February 2024.

Ms. Katie Patterson, SSJID Public and Government Relations Manager, announced that SSJID has been selected by the Ripon Chamber of Commerce to be the Grand Marshal for the 2024 Almond Blossom Festival. She noted that the honor will also coincide with SSJID's 115<sup>th</sup> anniversary. Festivities will include the Board's participation in the Almond Blossom Parade, which will occur the last weekend in February. She is brainstorming on how to incorporate staff participation in the event. Board discussion included the Board riding in classic cars in the parade.

**ACTION CALENDAR**

**Item #3 – Enforcement Action for Unauthorized Encroachment: Appeal from Denial of Retroactive Encroachment Permit for Encroachment Upon District Easement/Lateral A178dd (APN 227-040-24)**

Ms. Mia Brown, SSJID General Counsel, addressed the Board regarding the appeal from Mr. Peter Krumeich (landowner) of the enforcement action for unauthorized encroachment in the form of a detached garage upon District easement/Lateral A178dd. She gave descriptions of the District's encroached upon easement, the Lateral A178dd pipeline, and the landowner's structure which was constructed without an Encroachment Agreement with the District.

Ms. Brown provided a detailed timeline of action including initial discovery of the encroachment in July 2023; a site visit by District staff; the landowner's submitted application for Encroachment Agreement dated August 3, 2023; and SSJID's application denial letter with two (2) options to remedy the situation, which was dated August 30, 2023. The options provided to the landowner were: 1) remove and relocate the garage 15 feet from centerline of the District's lateral pipeline; or 2) realign the District's lateral pipeline to avoid the existing garage. Ms. Brown stated that the landowner was present, and was welcome to come forward to speak to the Board about his appeal.

Mr. Krumeich addressed the Board and explained that when he constructed the garage, he was aware of the District's pipeline and easement upon his property but unsure of the exact location. He was contacted by the City of Escalon of the encroachment issue and was directed to SSJID. The landowner suggested removing the portion of the garage which encroaches upon the easement and pipeline, or leave it as-is and remove the entire garage should the District need access to the pipeline in the future. Mr. Krumeich concluded, acknowledged full responsibility of the oversight, and expressed his willingness to work with the District towards a mutual resolution. He thanked the Board for their time and consideration.

Ms. Brown stated that the Board would deliberate the matter during Closed Session and render a decision when the meeting reconvened to Open Session, and that Mr. Krumeich would be notified of the Board's decision by day's end.

The Board then asked Mr. Krumeich a few follow-up questions for clarification which included the depth of the footing, and whether the foundation was bolted down.

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

**Item #4 – Consider Approval of SSJID 2024 Health Plan Renewals**

Mr. Don Thornburg, SSJID Human Resources Specialist, addressed the Board and noted factors which have impacted the 2024 Medical Insurance renewal including rising supply chain costs, COVID-related increased demand for services, higher labor costs for providers, and increased costs for specialty prescriptions. He summarized the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) plans for the District’s current medical, vision and Employee Assistance Program (EAP); the current self-funded dental plan; the life, accidental death and dismemberment (AD&D), and long-term disability (LTD) plans offered through Lincoln National Life Insurance; employee contributions; and plan/cost comparisons of 2024 monthly premiums for ACWA, Special District Risk Management Association (SDRMA), and California Public Employees’ Retirement System (PERS). Mr. Thornburg noted one (1) plan change regarding an IRS requirement for an increase in deductibles for the California Department of Public Health.

Staff recommended renewing the District’s current medical, vision, and EAP plans through the ACWA/JPIA; the current self-funded dental plan administered by Stanislaus Foundation; and life, AD&D, and LTD plans through the Lincoln National Life Insurance Company.

Board discussion included the projected impact of how the increased premiums might affect 2024 expenses overall, to which Ms. Sonya Williams, SSJID Finance and Administration Manager, responded that she is currently working on projections to finalize the District’s 2024 budget.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Kamper to renew the District’s current medical, vision, and EAP plans through the ACWA/JPIA; the current self-funded dental plan administered by Stanislaus Foundation; and life, AD&D, and LTD plans through the Lincoln National Life Insurance Company.

The motion passed 5 to 0 by the following vote:

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

**Item #5 – Presentation of the California Asset Management Program (informational only)**

Ms. Williams addressed the Board regarding information obtained from Ms. Lesley Murphy, PFM Asset Management (PFM) Director, about the California Asset Management Program (CAMP). She explained that CAMP provides public agencies with professional investment options to earn competitive yields with liquidity as a primary objective. Ms. Williams stated that CAMP offers two (2) investment options: Pool Program versus Term Program, and that staff intends to invest in the Pool Program; and two (2) ways to invest: either as an investor or as a participant, which staff recommended joining CAMP as an investor.

Ms. Williams stated that the District is currently invested in the Local Agency Investment Fund (LAIF), and provided comparison of CAMP versus LAIF citing the benefits of the CAMP Pool including higher interest rates, interest accrued daily and distributed monthly, same day liquidity before 11:00 a.m., and unlimited transactions. Ms. Williams noted that in a stable interest rate environment, LAIF may have better returns so it would be helpful to maintain both investment options. She concluded that PFM would oversee the District accounts, and was a reputable company which has been in business since 1989.

The presentation was for informational purposes only, with no Board action required.

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

Board discussion included that PFM provides investment management for government agencies only; the funds currently available in LAIF to transfer to a CAMP account; and appreciation for Ms. Williams' research to keep the District directed towards a financially stable future. The Board inquired about the status of participation in the ACWA/JPIA California Water Insurance Fund, to which Ms. Williams responded that research indicated it would not be beneficial to join with a pre-existing entity, but rather start our own or "partner up" with another organization to start one jointly. In conclusion, Ms. Williams stated that she has a meeting scheduled on September 27, with Mr. Kevin Martin, Financial Advisor at Cambridge, to discuss the District's current and future investments.

Ms. Williams thanked Mr. Rietkerk for his support and confidence in her decision(s).

**Item #6 – Discussion and Possible Action to Consider Setting Date for End of Irrigation Season**

Mr. Rietkerk addressed the Board and proposed October 29, 2023 as the end date of the 2023 irrigation season. He cited considerations that factored into the recommendation including current hydrology reports, and weather forecasts predicting storms in late October.

Board discussion included Oakdale Irrigation District's (OID) end date for water on October 30; authorizing the President and General Manager to move the end date up, if needed, in the event of extreme wet weather; notifying customers of the end date with a caveat of the possibility moving it earlier due to weather, if needed; and diversions into Woodward Reservoir. Mr. Avila added that a large pine tree is stuck sideways in the gate at Woodward Dam, though it has not changed the water levels or damaged the canal.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Roos to announce that the end of the 2023 irrigation season will be October 29, 2023 at 5:00 p.m.; and authorize the President and General Manager to move the end date up, if needed, in the event of extreme wet weather.

The motion passed 4 to 1 by the following vote:

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

**Item #7 to be discussed after Closed Session.**

*It was announced that all remaining items on the Closed Session agenda would be discussed. The Board took a brief recess at 10:08 a.m. and convened to Closed Session at 10:20 a.m.*

**Item #8 – CLOSED SESSION**

**RETURN TO OPEN SESSION**

*The Board returned to Open Session at 12:45 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:

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

**Item #3 – Enforcement Action for Unauthorized Encroachment: Appeal from Denial of Retroactive Encroachment Permit for Encroachment Upon District Easement/Lateral A178dd (APN 227-040-24)**

**MOTION:** A motion was made by Director Holbrook and seconded by Director Spyksma to deny the appeal of enforcement action for unauthorized encroachment upon District Easement/Lateral A178dd (APN 227-040-24).

The motion passed 5 to 0 by the following vote:

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

Ms. Brown stated that a conflict with the start of the trial *SSJID v. Lakeview Ranch Partners* was determined in Closed Session. As a result, the need to reschedule the start time of the regular board meeting, on October 10, came to the Board’s attention after the posting of the agenda, and requires immediate Board attention, and requested the item be added to the agenda as a late item pursuant to Government Code section 54954(b)(2).

**MOTION:** A motion was made by Director Spyksma and seconded by Director Holbrook to add the rescheduling to the agenda as a late agenda item pursuant to Government Code Section 54954(b)(2), based on the findings above.

The motion passed 5 to 0 by the following vote:

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

**MOTION:** A motion was made by Director Holbrook and seconded by Director Spyksma to reschedule the start time to 7:30 a.m. for the regular board meeting on October 10.

The motion passed 4 to 1 by the following vote:

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

**Item #7 – Following Performance Evaluation, Consider Compensation for General Manager**

**MOTION:** A motion was made by Director Holbrook and seconded by Director Roos to adjust the General Manager’s annual salary from \$280,000.00 to \$300,000.00 effective the yearly anniversary date of September 21.

The motion passed 5 to 0 by the following vote:

**MINUTES FOR THE SEPTEMBER 26, 2023  
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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

**Item #10 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 12:57 p.m.

**ATTEST:**

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Danielle Barney, Clerk of the Board