

**MINUTES FOR THE OCTOBER 11, 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 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 \$331,702.68; Accounts Payable Wires in the amount of \$322,422.39; and Payroll dated September 30, 2022 in the amount of \$4,780.38, and October 7, 2022 in the amount of \$283,652.55.
- B. Approval of the Regular Board Meeting Minutes of September 27, 2022
- C. Approval of Special Board Meeting Minutes of October 5, 2022
- D. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 245-140-30
- E. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 245-160-34

Ms. Mia Brown, SSJID General Counsel, advised that Director Spyksma should either abstain from the Board vote of the Consent Calendar due to his direct relationship/ownership of the property listed in agenda Item D - Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 245-140-30; or that the Board may remove that item from the Consent Calendar and vote on it separately with Director Spyksma abstaining. It was noted that the Consent for Entry of Property is a standard form, and is required for all properties receiving service from the District. There is no financial interest implicated, and the form is identical for all properties within the District.

**MOTION:** A motion was made by Director Weststeyn and seconded by Director Holbrook 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:           SPYKSMA  
ABSENT:            NONE

**COMMUNICATIONS**

**Item #1 – Directors’ Reports**

Director Spyksma stated that there were no new updates to report.

Director Kamper stated that there were no new updates to report.

Director Weststeyn reported that he attended the East Bay Municipal Utility District’s (EBMUD) Annual Pardee BBQ on September 26, and commented on a good event.

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Director Weststeyn reported that he attended the SSJID Water Master Plan (WMP) Growers' Advisory Committee (GAC) meeting on October 5. He thanked staff for the excellent WMP presentation and coordination efforts of the GAC meeting, and looks forward to the next steps towards finalizing the WMP document.

Director Holbrook reported that he attended the San Joaquin Farm Bureau (SJFB) Water Advisory Committee meeting on September 27. Highlights included guest speaker Mr. Brandon Bates, Natural Resources Conservation Service Representative, and discussion regarding grant funding opportunities.

Director Holbrook reported that he volunteered in the SSJID "Powered by Purpose" booth at the Manteca Pumpkin Fair on October 1. He commented on the large number of attendees at the event, and the expressed interest for the District to provide electric service to its customers.

Director Holmes acknowledged Mr. Peter Rietkerk, SSJID General Manager; Mr. Forrest Killingsworth, SSJID Engineering Department Manager; and Ms. Sarah Bloom, SSJID Assistant Finance and Administration Manager, on their coordinated efforts in developing the WMP presentation for the GAC meeting.

Director Holmes reported that he attended the EBMUD Annual BBQ on September 26. Highlights included keynote speaker, Ms. Jennifer Spaletta, Attorney for the North San Joaquin Water Conservation District, who discussed the Demonstration Recharge, Extraction and Aquifer Management (DREAM) Project. He opined on the well-attended event.

Director Holmes expressed thanks to the Irrigation Operations crews for a successful water season and smooth close of irrigation, and well wishes for safe winter maintenance.

**Item #2 – Various Reports**

Mr. Rietkerk addressed the Board and introduced Mr. Bill Schwandt, SSJID's new Electric Utility Manager.

Mr. Schwandt addressed the Board and thanked them for the opportunity with SSJID. He shared both personal and professional background including his experience as an engineer, and 35-years in public power. He looks forward to assisting in the development and implementation of the District becoming a public power electric utility.

Ms. Katie Patterson, SSJID Public and Government Relations Manager, addressed the Board and announced upcoming community events including Ripon Main Street Day on October 15, Escalon Chamber of Commerce Appreciation Dinner on October 20, Agape Villages Golf Tournament on October 28, Hope Ministries' "Night of Hope" Annual Dinner on November 4, and the American Legion Roast on November 12. She noted opportunities to volunteer at and/or attend the events. Directors interested should contact Ms. Patterson.

Mr. Rietkerk thanked Ms. Patterson for her coordination of SSJID's "Powered by Purpose" booth at the Manteca Pumpkin Fair. He remarked that volunteering at the event allowed for staff to update the public on the District's efforts to become an electric service provider.

Mr. Rietkerk expressed thanks the SSJID Division Managers, administrative staff, and irrigation crews for a successful water season and noted the professionalism, knowledge, and teamwork demonstrated during emergency issues that occurred in 2022.

Mr. Rietkerk provided the Board with an update of the WMP GAC meeting on October 5. He stated that positive comments had been received from the attendees, and there was discussion regarding the logistics of the next scheduled GAC meeting on November 9. Staff will contact the growers who were unable to attend on October 5 to gauge interest in holding a second meeting. Consideration is being given to holding the second GAC meeting in the District boardroom, as opposed to the City of Ripon Council Chambers. Mr. Rietkerk added that work continues with Mark Leu at Jacobs to finalize the WMP document. Staff anticipates presenting the WMP for Board adoption by year end.

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Mr. Rietkerk noted that he received an email from Turlock Irrigation District (TID) regarding maintenance of the hydroelectric unit at the Woodward Power Plant. Staff intends to schedule a meeting with TID to discuss TID's interests and to review the current agreement with TID to utilize and operate the District utility at Woodward.

**ACTION CALENDAR**

**Item #3 – Consider Approval to Purchase Shotcrete Technologies Mix for the 2022/2023 Spray Cast Cement Pipe Lining Project**

Mr. Chad Parsons, SSJID Associate Civil Engineer, addressed the Board regarding approval to purchase 84-pallets of Shotcrete Technologies Mix for the spray cast cement pipe lining operation in the 2022/2023 construction season. He explained the scope of work and timeline of the project including a projected 250 lineal feet (LF) for a single shot of pipe lining per week. Mr. Parsons further explained that staff is expected to receive one (1) truck load of 12-pallets (approximately 720 LF) every three (3) weeks for a total of 84-pallets (5,040 LF) by March 2023.

The 2022 Capital Improvement Plan (CIP) budget identified specific pipe lining project locations totaling 20,250 LF, and the approved budget includes a material budget of \$486,338.00 with \$450,838.00 dedicated for additional mix purchase.

Staff recommended approval to purchase 84-pallets of Shotcrete Technology Mix in the amount of \$110,880.00 plus freight for the spray cast cement pipe lining operation in the 2022/2023 construction season. In addition, staff requested authorization to purchase an additional \$63,360.00 plus freight of Shotcrete Technologies Mix as necessary if production improves.

Board discussion included proper storage of the materials; estimated freight amounts; the District hiring independent truckers to transport the materials; and the exclusion of sales tax/use tax on the quote due to the exemption of an out-of-state sale. Ms. Bloom stated that sales tax will be calculated, reported, and paid on a quarterly basis.

**MOTION:** A motion was made by Director Kamper and seconded by Director Spyksma to approve the purchase of 84-pallets of Shotcrete Technologies Mix in the amount of \$110,880.00 plus freight for the spray cast cement pipe lining operation in the 2022/2023 construction season; and purchase up to an additional \$63,360.00 plus freight of Shotcrete Technologies Mix as necessary, if production improves.

The motion passed 5 to 0 by the following vote:

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

**Item #4 – Consider Approval to Purchase Ready Mix Shotcrete for Main Distribution Canal Lining**

Mr. Parsons addressed the Board regarding authorization to purchase ready mix shotcrete for the Main Distribution Canal (MDC) lining operations for the 2022/2023 construction season. He explained the project scope of work, and the identified project locations along the MDC with slope erosion and seepage that present a risk. The project will begin in November 2022 with anticipated completion in February 2023.

Solicitations for quotes were sent to three (3) regional concrete suppliers on September 22, 2022. One (1) quote was received from Allied Concrete Supply Company, Inc., by the October 6, 2022 submittal deadline date, for a price of \$158 per cubic yard (CY) plus tax, plus an additional \$7.00 per CY for fiber reinforcement, plus an additional \$7.00 per CY for deliveries after January 1, 2023, plus general conditional fees as stated in the quote.

The 2022 CIP Budget allocated funding for the MDC Bank Stabilization (Reach 1/Drop 2) Project, including \$453,560.00 budgeted for materials of which 75-percent (75%) is dedicated for shotcrete ready mix purchase up to \$340,170.00. Staff

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calculated that the cost per CY, plus tax, yearly increase, and load fees for the 1,700 lineal feet of the MDC Drop #2 lining project would total an estimated \$185,250.00.

**MOTION:** A motion was made by Director Spyksma and seconded by Director Weststeyn to approve the purchase of ready mix shotcrete as quoted by Allied Concrete Supply Company, Inc., for the MDC lining operations for the 2022/2023 construction season.

The motion passed 5 to 0 by the following vote:

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

**Item #5 – Consider Amendments to SSJID Conflict of Interest Code**

Ms. Brown addressed the Board and explained that the Political Reform Act (California Government Code Sections 81000 *et seq.*) requires the District maintain a Conflict of Interest Code. She further explained that the Conflict of Interest Code must be reviewed at least biennially, and updated as needed including the addition of all newly created positions, removal of obsolete or unused positions, and amendment of applicable disclosure categories as necessary.

Ms. Brown stated that the Finance and Administration Manager, Assistant Finance and Administration Manager, and Electric Utility Manager positions were created and filled since the last Conflict of Interest Code update in 2020. The proposed amendment makes these positions “designated positions” and assigns disclosure categories. Ms. Brown added that the San Joaquin County (SJC) Board of Supervisors (BOS) is the “code reviewing body” for local agencies pursuant to the Political Reform Act, therefore the amended code must be sent to the SJC BOS for approval before implementation.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Weststeyn to approve amendment of Appendix A of SSJID’s Conflict of Interest Code to: 1) include the positions of Finance and Administration Manager, Assistant Finance and Administration Manager, and Electric Utilities Manager in the list of positions designated to file an annual Form 700 Statement of Economic Interests; and 2) remove the currently defunct positions of Assistant General Manager, Management Accountant, and Accounting and Customer Service Manager; and 3) direct General Counsel to forward the amended Conflict of Interest Code to the SJC BOS for approval.

The motion passed 5 to 0 by the following vote:

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

**Item #6 – Discussion and Possible Action Regarding Board Calendar for November and December 2022**

**MOTION:** A motion was made by Director Spyksma and seconded by Director Weststeyn to adjourn the SSJID regular board meeting on November 8 to November 16, 2022; cancel the November 22 and December 27 board meetings; and authorize the General Manager to call a special meeting, if necessary, on November 22, 2022 and December 20, 2022 should the Board need to consider urgent or unanticipated District business.

The motion passed 5 to 0 by the following vote:

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

*The next item to be taken up following Closed Session.*

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

*It was announced that all items on the Closed Session agenda would be discussed. The Board took a brief recess at 9:30 a.m. and convened to Closed Session at 9:45 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  
          -     8 cases

*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*

*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*

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*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

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

e. Labor Negotiations  
California Government Code Section 54957.6  
Agency Negotiator: General Manager  
Employee Organization: Management Unit

f. Public Employee Performance Evaluation  
California Government Code Section 54957(b)(1)  
Title: General Counsel

**RETURN TO OPEN SESSION**

*The Board reconvened to Open Session at 1:25 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:  
There were no reportable actions taken in Closed Session.

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

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**MOTION:** A motion was made by Director Spyksma and seconded by Director Holbrook to approve compensation for the General Manager at a 7.7-percent (7.7%) increase, for an annual salary of \$280,000.00, effective the annual anniversary date of September 21, 2022.

The motion passed 5 to 0 by the following vote:

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

**Item #10 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:28 p.m.

**ATTEST:**

\_\_\_\_\_  
Danielle Barney, Clerk of the Board