

**MINUTES FOR THE OCTOBER 12, 2021
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 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 \$135,717.98; Accounts Payable Wires in the amount of \$283,834.47; and Payroll dated September 30, 2021 in the amount of \$5,056.49, and October 8, 2021 in the amount of \$251,177.76.
- B. Approval of the Regular Board Meeting Minutes of September 28, 2021

Director Weststeyn noted corrections be made to page 5, Item #6, third paragraph; and page 6, Item #6 Motion regarding the duration of the dump truck rentals should be from October 1, 2021 through March 15, 2022. *Corrected from reflecting dump truck rentals for a duration of 4-weeks.*

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

The motion passed 5 to 0 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook commented on the high reservoir levels he viewed while recently vacationing in Arizona, specifically the Canyon Lake Reservoir.

Director Holbrook reported that he attended the Oakdale Chamber Foundation’s 48th Annual Ag Scholarship Luncheon on September 29, at the Oakdale Rodeo Grounds. He opined it was a pleasant, well-attended event that included a speaker presentation titled, “The Many Uses of Drones in Ag.” Oakdale Irrigation District (OID) was also represented at the event.

Director Weststeyn participated in the Irrigation Operations & Engineering Tour #1 on September 29, which included on-site visits to Goodwin Dam and Woodward Reservoir. He thanked Mr. Forrest Killingsworth,

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

SSJID Engineering Department Manager, and Mr. Frank Avila, SSJID Irrigation Operations Manager, for the informative session.

Director Weststeyn announced a San Joaquin Tributaries Authority meeting scheduled for October 18.

Director Kamper commented on a good harvest season but reported of a tragic accident involving an 18-year old man and harvest equipment. He emphasized the importance of “safety first.”

Director Spyksma participated in four (4) Director Orientation meetings including Irrigation Operations & Engineering Tours 1 and 2; and Finance & Administration Sessions 1 and 2. He thanked Mr. Killingsworth and Mr. Avila for the tours, and Mr. Bere Lindley, SSJID Assistant General Manager, and Ms. Sarah Bloom, SSJID Management Accountant, for the informative finance meetings.

Director Spyksma announced that he will be attending the Association of California Water Agencies (ACWA) 2021 Fall Conference, in Pasadena, on November 30 through December 2, 2021. He will confer with Mr. Peter Rietkerk, SSJID General Manager, regarding logistics and SSJID Director participation at the ACWA/Joint Powers Insurance Authority (JPIA), and ACWA board meetings.

Item #2 – Various Reports

The Managers’ Reports were provided in written form to the Board on October 11, 2021.

Mr. Peter Rietkerk announced the upcoming Hope Ministries “Night of Hope” Annual Donor Appreciation Dinner on November 12, at the River Mill. As a table sponsor, SSJID receives ten (10) tickets to the event. Directors interested in attending should contact Ms. Danielle Barney, SSJID Executive Assistant/Clerk of the Board, to coordinate arrangements. Director Kamper stated that he and Mrs. Kamper will attend.

Mr. Rietkerk commented on the upcoming board meetings scheduled for November and December. Historically, the Board has voted to pare down the two (2) meetings per month to just one (1), to accommodate for any holiday commitments. He stated that there was discussion to keep both board meetings in November; hold one (1) meeting in December; and allow flexibility to cancel the second board meeting in November contingent upon District business and urgency. A formal request requiring Board action will be presented at a future board meeting.

Mr. Rietkerk announced a recent development regarding the District’s Annual Safety Day. Prior to COVID-19, Safety Day was held as a full-day employee event highlighting a speaker presentation, and discussing health benefits, safety topics, and the District’s Wellness Program. Amid COVID-19 concerns, Mr. Walt Luihn, SSJID Environmental Compliance and Safety Officer, is scheduling individual 2021 Safety Day events by department (e.g. Irrigation Operations, Control Room, Water Treatment Plant (WTP) and Main Office) with specific safety topics geared towards that division. Mr. Rietkerk will attend each department’s event to welcome staff and address any concerns and/or inquiries. Finalized department Safety Day dates are to follow. Board discussion included that detailed training at the operational level is an excellent idea inducing a higher percentage to pay attention.

ACTION CALENDAR

Director Holmes announced a request to move Agenda Item #9 up to the first item on the Action Calendar as consideration to public meeting attendance of the topic in question.

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

Item #9 – Consider Conditional Approval of Thomas Street Subdivision

Mr. Killingsworth addressed the Board regarding improvements to the District’s Lateral “Z” related to the Thomas Street Subdivision Project. He explained the project location, project scope, the District utilities located within the project, types of encroachments, and proposed SSJID improvements. He further explained issues involving Lateral “Z” sags, the District’s compromised access, and proposed additional easements which will require approval from the City of Manteca. Mr. Killingsworth stated that the developer is prepared to move forward with the irrigation-related improvements. He introduced Mr. Cary Pope, a commercial realtor representing the landowner; and Mr. Tony de Melo, Northstar Engineering, to the Board.

Board discussion included easement location; future development; the current landowner who is prepared to sell to the developer; and sealing the abandoned pipeline with concrete slurry.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to authorize conditional approval of the items listed below regarding improvements to existing Lateral “Z” as related to the Thomas Street Subdivision Project, contingent upon resolution of the issue of District access to District facilities, and subject to compliance with the District’s standard requirements and to the satisfaction of District staff:

1. Staff Signature of Improvement Plans
2. Developer’s Agreement
3. Encroachment Agreement/Temporary Construction Agreement
4. Irrigation Service Abandonment Agreement
5. New SSJID Lateral “Z” Easements
6. Existing SSJID Easement Quitclaims
7. Review/Approval of Joint Trench Plans
8. Review/Approval of Final Map

The motion passed 5 to 0 by the following vote:

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

Item #3 – Coronavirus (COVID-19) Update

Mr. Rietkerk stated there are no updates to report.

Item #4 – Consider Adoption of Resolution 21-27-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency Under Government Code Section 54953

Ms. Mia Brown, SSJID General Counsel, addressed the Board regarding Governor Gavin Newsom’s Executive Order N-29-20 (March 18, 2020) which waived certain requirements of the Ralph M. Brown Act regarding teleconference attendance by Board Members, and Executive Order N-8-21 (June 11, 2021) which continued suspension of the Brown Act’s teleconferencing requirements through September 30, 2021. Pursuant to recent legislation enacted to continue the modified teleconferencing attendance requirements permitted under the now-expired executive orders, staff is seeking Board adoption of Resolution 21-27-Y which would allow Board Members to attend board meetings via teleconference in the

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

same manner as was previously allowed under the executive orders. Per legislation, the resolution will need to be renewed every thirty (30) days.

MOTION: A motion was made by Director Holbrook and seconded by Director Spyksma to adopt Resolution 21-27-Y to Implement Teleconferencing Requirements During a Proclaimed State of Emergency Under Government Code Section 54953.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION No. 21-27-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

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.

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

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

- 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. That this Resolution shall take effect **October 26, 2021** and shall remain in effect for thirty (30) days thereafter (until November 26, 2021), provided the conditions set forth in Section 2 remain.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District this 12th day of October, 2021, by the following vote:

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

Item #5 – Consider Adoption of Resolution 21-26-B Reaffirming and Certifying Water Charges for 2022

Ms. Brown addressed the Board and clarified that approval to reaffirm and certify water charges for 2022 is required at this time per the San Joaquin County property tax billing process for 2022. Staff will seek Board approval of a resolution, adjusting the Division 9 pressurization rates, after December 31, 2021 when the cost of electricity for the pressurized water system during 2021 becomes known.

MOTION: A motion was made by Director Kamper and seconded by Director Spyksma to adopt Resolution 21-26-B Reaffirming and Certifying Water Charges for 2022.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 21-26-B**

**CERTIFYING 2022 CHARGES FOR SERVICES
FURNISHED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
OCTOBER 12, 2021**

WHEREAS, Irrigation District law provides authority for the South San Joaquin Irrigation District, (“District”) in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and

WHEREAS, the District currently charges a flat rate charge (“Flat Rate Charge”) of \$24.00 per acre per year for water service to each parcel in the District on which District-supplied water is available for irrigation, with a minimum charge of \$50 per year; and

WHEREAS, the District currently charges a groundwater recharge charge (“Groundwater Recharge Charge”) of \$12.00 per acre per year to each parcel in the District of 10 acres or more which is subject to a recorded Irrigation Service Abandonment Agreement, and on which crops are commercially grown; and

WHEREAS, on July 31, 2012, in conformance with the procedural requirements of Proposition 218, the District approved an additional volumetric charge of \$3 per acre-foot (“First Tier Volumetric Charge”), and on September 22, 2015 limited the First Tier Volumetric Charge to the first 48 inches of water used per

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

year, and approved an additional volumetric charge of \$10 per acre-foot for water used in excess of 48 inches per year starting in 2016 (“Second Tier Volumetric Charge”); and

WHEREAS, on January 12, 2021, in conformance with the procedural requirements of Proposition 218, the District approved a pressurized water charge (“Pressurization Charge”) for customers served with pressurized water set at \$50 per acre-foot consisting of (a) \$38 per acre-foot for recovery of electricity expense (“Electricity Cost Recapture”), subject to an annual inflation or deflation adjustment, and (b) \$12 per acre-foot for the improvement or replacement of capital assets (“Provision for Capital Assets”), also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$50 is effective for the 2021 season and may adjust for inflation or deflation in accordance with the provisions of Proposition 218, Government Code section 53756, and Resolution #21-01-B adopted January 21, 2021, for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets is based on the California Consumer Price Index as published by the California Division of Industrial Relations for the one year period ending with the preceding December; and

WHEREAS, Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address; and

WHEREAS, the District declares the following with respect to the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge:

- (1) The revenues derived from the aforementioned charges do not exceed the costs of providing the subject properties with the respective service(s); and
- (2) The revenues derived from the charges will not be used for any purpose other than that for which the charges are imposed; and
- (3) The amount of a charge imposed shall not exceed the proportional cost of the service(s) attributable to the subject property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that pursuant to Sections 22280 and 22283 of the Water Code, the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge shall remain in effect at their current levels for the 2022 calendar year as follows and subject to the following rules:

RULE NO. 1: FLAT RATE CHARGE

- a) For each separate parcel, as shown on the District records of San Joaquin County Assessor’s Parcel Maps, which is not the subject of an Irrigation Service Abandonment Agreement with the District, there shall continue to be a charge for the use of District water, an annual Flat Rate Charge of \$24.00 per acre.
- b) The minimum amount for the Flat Rate Charge shall continue to be \$50.00. The Flat Rate Charge is due on receipt and payable in two installments.

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2021 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2022.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2021 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2022.
- e) For parcels billed by the District, water service will be denied to any land having outstanding Flat Rate Charges in excess of ten (10) working days.

RULE NO. 2: FIRST and SECOND TIER VOLUMETRIC CHARGES

- a) There shall continue to be a First Tier Volumetric charge of \$3 per acre-foot for the first 48 inches used in a calendar year and a Second Tier Volumetric charge of \$10 per acre-foot for water used in excess of 48 inches in a calendar year.
- b) Water service will be denied to parcels having outstanding volumetric charges in excess of \$10 for 45 days or longer.

RULE NO. 3: PRESSURIZATION CHARGE

- a) The pressurization charge and the annual adjustment feature is described as follows. On January 12, 2021, the District imposed a Pressurization Charge for customers served with pressurized water set at \$50 per acre-foot consisting of: (a) \$38 per acre-foot for Electricity Cost Recapture, subject to an annual inflation or deflation adjustment, and (b) \$12 per acre-foot for Provision for Capital Assets, also subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$50 is effective for the 2021 season and may be adjusted by the Board of Directors for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2022, 2023, 2024 and 2025. The annual inflation or deflation index applicable to the Electricity Cost Recapture is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding calendar year. The annual inflation or deflation index applicable to the Provision for Capital Assets is the change in the California Consumer Price Index as published by the California Division of Industrial Relations for preceding calendar year. Notice of the changes in the Electricity Cost Recapture and Provision for Capital Assets caused by application of the inflation or deflation indexes shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address.
- b) Parcels receiving pressurized water from the District's Irrigation System Improvement Project, shall, in addition to the Flat Rate Charge described in Rule No. 1, and the First and Second Tier Volumetric Charges described in Rule No. 2, pay a Pressurized Charge of \$50 per acre-foot during 2022.
- c) The pressurized rate of \$50 for 2022 is subject to change after December 31, 2021 when the cost of electricity for the pressurized water system during 2021 and the California Consumer Price Index become known, as described in the recitals above.

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

- d) Parcels receiving pressurized water will be billed each month of the irrigation season both for delivery of District-supplied water under Rule No. 2 and for pressurization of such water under this Rule No. 3.
- e) Water service will be denied to parcels having outstanding Pressurization Charges in excess of ten (10) working days.

RULE NO. 4: GROUNDWATER RECHARGE CHARGE

- a) For those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which are used to grow commercial crops and which and which are 10 acres or larger, and which are the subject of an approved District Irrigation Service Abandonment Agreement, there shall continue to be an annual Ground Water Recharge Charge of \$12.00 per acre for the benefits derived from groundwater recharge.
- b) The Groundwater Recharge Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2021 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2022.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2021 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2022.

RULE NO. 5: SERVICE ABANDONMENT

- a) Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which do not utilize District water service may be exempted from the District Flat Rate Charge provided the owners of such lands enter into an "Irrigation Service Abandonment Agreement" with the District; and
- b) Provided further, there are no outstanding amounts owed to District for water service on such lands.
- c) Such parcels may also be exempted from the Ground Water Recharge Charge, provided such parcels are less than 10 acres or are not used to grow commercial crops.

RULE NO. 6: COLLECTION

- a) The Board authorizes the charges to be billed and collected by the District and to deny water service to parcels having outstanding charges that exceed the thresholds established in the Rules above.
- b) The Board authorizes the charges resulting from the Flat Rate Charge and Groundwater Recharge Charge to be transmitted to the County Auditor-Controller and continue to be enrolled on the tax roll of the County of San Joaquin for collection at the same time, in the same manner, and subject to the same penalties for delinquency as county taxes.

PASSED AND ADOPTED this 12th day of October 2021 by the following vote:

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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

Item #6 – Consider Adoption of Resolution 21-28-V Authorizing and Directing Sale of District Vehicles as Surplus Property

Mr. James Ferguson, SSJID Shop Supervisor, addressed the Board regarding the sale of District vehicles that are no longer necessary for District purposes. Mr. Ferguson stated that he is beginning the process to sell two (2) dump trucks early, this year, to expedite logistics. Per regulations of the California Air Resources Board (CARB), the dump trucks must be removed from the District fleet by December 31, 2021. Board discussion included selling the dump trucks out of state, and full disclosure of CARB regulations to potential buyers within California.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to adopt Resolution 21-28-V Authorizing and Directing Sale of District Vehicles as Surplus Property.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 21-28-V**

**AUTHORIZING AND DIRECTING SALE OF DISTRICT VEHICLES
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>
262-04	2004 International 10 wheel Dump	1HTWNADRX4J091873
268-05	2005 International 10 wheel Dump	1HTWNAZR05J046385

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.

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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 12th day of October, 2021, by the following vote:

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

Item #7 – Consider Approval to Renew District Health Benefits for 2022

Mr. Don Thornburg, SSJID Human Resources Specialist, addressed the Board regarding the annual health plan renewals for District employees. He summarized the ACWA/JPIA plans for the District’s current medical, vision and Employee Assistance Program (EAP) plans; 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 the 2021 and 2022 monthly premiums. Open enrollment for the 2022 plan year will be held from October 18, 2021 to November 3, 2021.

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper to renew the District’s current medical, vision and Employee Assistant Program plans through the ACWA/JPIA; the current self-funded dental plan; and the accidental death and dismemberment and long-term disability plans offered through the Lincoln National Life Insurance Company.

The motion passed 5 to 0 by the following vote:

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

Item #8 – Consider Approval of SSJID IT Support Technician Position

Mr. Michael O’Leary, SSJID IT Systems Administrator, addressed the Board regarding approval of an SSJID IT Support Technician position and provided a detailed description of the current workload of the District’s IT Department. Mr. O’Leary explained that the position was originally to be designated as a part-time employee but has been revised to a full-time employee based on necessity and the growing demands on the IT Department.

Board discussion included cybersecurity, a confidentiality agreement for the IT Support Technician, system access to be granted to the IT Support Technician, and concurrence with the necessity of a full-time IT Support Technician.

MOTION: A motion was made by Director Spyksma and seconded by Director Holbrook to approve the creation of a full-time SSJID IT Support Technician.

The motion passed 5 to 0 by the following vote:

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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

Items #10 & 11 – Consider Approval of Contracts with Marcia Herrmann Design for 1) Advertising and Marketing Consulting Services; and 2) Powered by Purpose Public Information Campaign Consulting Services

Items were considered by the Board together, as they are somewhat interrelated.

Mr. Rietkerk addressed the Board and explained that his presentation will be two-fold to include agenda Item 10 – Consider Approval of Contract with Marcia Herrmann Design (MHD) for Advertising and Marketing Consulting Services; and agenda Item #11 – Consider Approval of Contract with MHD for Powered by Purpose Information Campaign Consulting Services.

Mr. Rietkerk provided background of SSJID utilizing MHD since 2017 to provide advertising, social media consulting, and marketing consulting for the District’s services and information programs; and since 2019 for the Powered by Purpose campaign. He explained the scope of work for both contracts and detailed MHD’s efforts on SSJID’s Spring and Fall Irrigation Newsletters, and social media platforms. He further explained that when the contracts were presented for renewal in 2020, the Board expressed concerns with MHD’s costs, scope of work, and value of service and directed staff to begin a Request for Proposal (RFP) process at contract renewal.

Mr. Rietkerk noted MHD’s assistance in the wake of the retirement of SSJID’s Public Relations (PR) Director, as well as the benefits of MHD’s familiarity with District campaigns during the upcoming onboarding process of the new Government and PR Manager in November. Mr. Rietkerk acknowledged Ms. Bloom for her efforts with SSJID’s social media platform, and Ms. Barney for her efforts with SSJID’s Community Education Awareness Program (CEAP) sponsorships and community outreach during the absence of PR personnel.

Staff recommended Board approval to extend the current agreements with MHD for a period of six (6) months, and revise the terms for both contracts to expire on March 31, 2022.

Board discussion included opinions of renewing a 6-month contract; continuing on a month-to-month contract basis and begin the RFP process; concern with the draft agreement(s) Paragraph 9 regarding “Breach;” inclusion of language regarding a termination-at-will per a 30-day notice; and inquiry of the Powered by Purpose contract listing scope of services at 4-hours a month for a fee of \$2,350 per month. Ms. Brown explained that the draft contract was an MHD template and not reflective of the current contracts between SSJID and MHD. She will revise and finalize an agreement addressing issues and language as directed by the Board.

MOTION: A motion was made by Director Holbrook and seconded by Director Spyksma to approve the two (2) contracts with Marcia Herrmann Design for 1) Advertising and Marketing Consulting Services; and 2) Powered by Purpose Information Campaign Consulting Services for a term of six (6) months through March 31, 2022. The contracts will be revised to modify Paragraph 9 regarding “Breach;” include language regarding termination-at-will per a 30-day notice; and address the 4-hours included in the scope of services for a fee of \$2,350 listed in the Powered by Purpose contract.

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The motion passed 3 to 2 by the following vote:

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

The following agenda item was taken up following Closed Session

Item #12 – Consider Approval of SSJID Controller Position

It was announced that all items listed in the Closed Session agenda would be discussed. The Board took a brief recess at 10:10 a.m. and convened to Closed Session at 10:25 a.m.

Item #13 – CLOSED SESSION

13. a. Conference with Legal Counsel – Anticipated Litigation
 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of
 Government Code Section 54956.9
 - 6 cases
- b. Conference with Legal Counsel – Anticipated Litigation
 Significant exposure to litigation pursuant to paragraph (2) of
 Subdivision (d) of Section 54956.9
 - 3 cases
- 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*

*PG&E vs. San Joaquin LAFCo; SSJID, Real Party in Interest
In the Court of Appeal for the State of California, Third Appellate District*

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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

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, Other Potential Parties Unknown
 District Negotiator: General Manager
 Terms: Price and terms of payment of sale

- ii. Property: Stanislaus County Assessor's Number 001-011-076 (Temporary Construction Easement)
 Negotiating Parties: SSJID and PG&E
 District Negotiator: General Manager
 Under Negotiation: Terms and Price

- iii. Property: San Joaquin County Assessor's Number 23-074-01
 Negotiating Parties: SSJID and Janice King
 District Negotiator: General Manager
 Under Negotiation: Terms and Price

e. Public Employment

California Government Code Section 54957
Title: IT Support Technician

f. Public Employment

California Government Code Section 54957
Title: Controller

**MINUTES FOR THE OCTOBER 12, 2021
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

- g. Labor Negotiations
California Government Code Section 54957.6
Agency Negotiator: General Manager
Employee Organization: IBEW Local 1245

- h. Public Employee Performance Evaluation
California Government Code Section 54957(b)(1)
Title: General Manager

RETURN TO OPEN SESSION

The Board reconvened to Open Session at 1:40 p.m.

Item #14 – 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 #12 – Consider Approval of SSJID Controller Position

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to approve the SSJID Controller position including the job description and salary range that were recommended to the Board.

The motion passed 5 to 0 by the following vote:

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

Item #15 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:43 p.m.

ATTEST:

Danielle Barney, Clerk of the Board