

**MINUTES FOR THE OCTOBER 25, 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 SPYKSMA WESTSTEYN
ABSENT: NONE

Also present were General Manager Peter M. Rietkerk; General Counsel Mia Brown; Engineering Department Manager Forrest Killingsworth; Water Resources Coordinator Brandon Nakagawa; and Executive Assistant Dawn Driesen.

Public Comment – The Board wished Danielle Barney, SSJID Clerk of the Board/Executive Assistant, well and a quick recovery.

CONSENT CALENDAR

- A. Approval of Checks in the amount of \$548,367.03; Accounts Payable Wires in the amount of \$512,803.39; and Payroll dated October 7, 2022 in the amount of \$1,748.99, and October 21, 2022 in the amount of \$277,722.45.
- B. Approval of the Regular Board Meeting Minutes of October 11, 2022.
- C. Consider Adoption of Resolution 22-31-Y Implement Teleconferencing Requirements During a Proclaimed State of Emergency

MOTION: A motion was made by Director Spyksma to approved Items A and B separately from Item C. Motion was seconded by Director Holbrook.

The motion passed 5 to 0 by the following vote:

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

MOTION: A motion was made by Director Spyksma and seconded by Director Holbrook to approve Item C.

The motion failed 2 to 3 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook reported that he attended a meeting for the San Joaquin County Advisory Water Commission. Director Weststeyn attended the GSA meeting and will attend the Farm Bureau meeting this coming Monday.

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Director Kamper reported that he also went to the Water Advisory Commission meeting. He congratulated District staff on a good water season.

Director Spyksma congratulated District staff on a successful season, and noted that the Water Treatment Plant also continues to do well.

Director Holmes reported that he attended the GSA and Tri-Dam meetings. He also thanked staff for the Fall Newsletter.

Item #2 – Various Reports

ACTION CALENDAR

Item #3 – Consider Adoption of Resolution 22-32-G Authorizing General Manager to Execute Application for the Public Benefit Grants Program

Mr. James Ferguson, SSJID Shop Department Supervisor, addressed the Board and explained that the San Joaquin Valley Air Pollution Control District (“SJVAPCD”) is offering \$20,000 per vehicle for the purchase of a new alternative-fuel vehicles by public agencies within the SJVAPCD boundary. Mr. Ferguson stated that staff would like to apply for Grant money to purchase two (2) plug-in hybrid electric vehicles and one (1) fully electric vehicle.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to adopt Resolution 22-32-G Authorizing General Manager to Execute Application for the Public Benefit Grants Program.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 22-32-G**

**AUTHORIZING GENERAL MANAGER TO EXECUTE APPLICATION
FOR PUBLIC BENEFIT GRANTS PROGRAM**

WHEREAS, the San Joaquin Valley Air Pollution Control District (SJVAPCD), Strategies and Incentives Department administers the Public Benefit Grants Program (“Program”), which provides up to \$20,000 per vehicle for the purchase of new alternative-fuel vehicles by public agencies within the SJVAPCD geographical area; and

WHEREAS, the South San Joaquin Irrigation District (“District”) meets the Program eligibility criteria; and

WHEREAS, the District intends to purchase two (2) plug-in hybrid electric vehicle compact SUVs at a cost of \$42,330 each for the office pool at the District’s main facility, and one (1) fully electric vehicle at a cost of \$34,000 for staff at District’s Water Treatment Plant facility; and

WHEREAS, District’s application for grant funding through the Program, if accepted, could offset the costs of the aforementioned vehicles by up to \$60,000.00; and

WHEREAS, the application process requires a Resolution from the District’s Board of Directors authorizing submittal of the application and identifying the individual authorized to implement the new vehicle Project; and

WHEREAS, participation in the Program also requires the District to enter into a three (3) year contract with the SJVAPD, committing to carry out the Program’s requirements.

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

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- 1) The District General Manager is authorized to complete and execute the application and any supplementary materials, and submit the same to the SJVAPD on behalf of the District.
- 2) The General Manager authorized to implement the Project and do all things necessary and proper in carrying out said implementation.
- 3) The District is ready, willing, and able to carry out the Program's requirements, and authorizes the General Manager to sign a contract with the SJVPA committing to the same.

PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District this 25th day of October, 2022, by the following vote:

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

Item #4 – Consider Approval of Master Professional Services Agreement with Mel Bradley

Ed Erisman, Water Treatment Plant Manager, requested the Board approve entering into a Master Professional Services Agreement with Mel Bradley for consulting services related to the Solar Farm and Water Treatment Plant electrical systems.

MOTION: A motion was made by Director Holbrook and seconded by Director Spyksma to authorize the General Manager to sign a Master Professional Services Agreement with Melvin Bradley, with the cost not to exceed \$30,000.

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 Approval of Quote from Hach Company for the Purchase of Sixteen Online Turbidimeters for the Water Treatment Plant

Charles Galea, Chief Plant Operator, addressed the Board requesting approval of a quote from Hach Company to purchase sixteen turbidimeters. Mr. Galea explained that the turbidimeters currently used at the plant are obsolete and parts and service will not be available after 2022. Although the purchase will be on the 2023 Capital Budget, by submitting a purchase order now the District will save approximately 5%.

MOTION: A motion was made by Director Spyksma and seconded by Director Kamper to approve the purchase order of sixteen online turbidimeters to secure the discounted price.

The motion passed 5 to 0 by the following vote:

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

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Item #6 – Consider Approval of Developers Agreement for Villa Ticino West Large Lot Final Map II (Lateral “Za” Replacement)

Forrest Killingsworth, Engineering Department Manager, explained that Villa Ticino West Units 1 & 2 were previously approved by the Board. Units 1 & 2 only impacted the Treated Water Line and not irrigation facilities. The Developer will be subdividing the land into large parcels for future phases of development. The future units will require realignment of Lateral “Za”, and by entering into a Developers Agreement now the District will ensure that the District’s facilities are replaced at the proper time.

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to authorize the approval of a Developers Agreement associated with the Villa Ticino West II Large Lot Final Map and authorize staff signature of said map.

The motion passed 5 to 0 by the following vote:

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

Item #7 – Consider Approval of Western Area Power Administration (WAPA) 2025 Full Load Service and Schedule Coordinator Contract, and Adoption of Resolution 22-34-E Authorizing Agreement with WAPA.

Bill Schwandt, Electric Utility Manager, addressed the Board and explained that SSJID began receiving electrical energy service from WAPA in January 2015 after receiving a Preference Power allocation under WAPA’s 2015 Power Market Plan and executing a base resource contract with WAPA. SSJID has several contracts and letters of agreement with WAPA to provide power supply and scheduling services for the District. The four primary contracts include an Electric Service Base Resource contract, a Full-Load Service contract, a Scheduling Coordinator Services contract, and a Back-to-Back Interconnection contract. Mr. Schwandt recommended that the Board update the Full Load Service Contract and the Scheduling Coordinator Services Contract.

MOTION: A motion was made by Director Spyksma and seconded by Director Weststeyn to approve Resolution No. 22-34-E Authorizing Agreements with Western Area Power Administration (WAPA) including the Full Load Service Contract 22-SNR-02791 and the Scheduling Coordinator Contract 22-SNR-02792, and authorizing the General Manager to execute the contracts.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO 22-34-E**

**AUTHORIZING AGREEMENTS WITH WESTERN AREA
POWER ADMINISTRATION**

WHEREAS, the Sierra Nevada Region of the United States Department of Energy’s Western Area Power Administration (“WAPA”) markets surplus power from its generation assets (“Base Resource”); and

WHEREAS, WAPA has several contracts and letters of agreement with SSJID to provide Base Resource power supply, scheduling, and interconnection services to SSJID; and

WHEREAS, WAPA has prepared Contract No. 22-SNR-02791 entitled, “Custom Product Contract For Full Load Service With South San Joaquin Irrigation District,” a copy of which are attached to this Resolution (“Contract”); and

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WHEREAS, Under this SSJID and WAPA Full Load Service Contract 22-SNR-02791, WAPA will perform Portfolio Management Services and make supplemental power purchases to meet the full electrical requirements at SSJID’s points of delivery; and

WHEREAS, The major change is an extension of five years to the term of the current agreement; and

WHEREAS, WAPA has prepared Contract No. 22-SNR-02792 entitled, “Custom Product Contract For Scheduling Coordination Services With South San Joaquin Irrigation District,” a copy of which are attached to this Resolution (“Contract”); and

WHEREAS, Under this SSJID and WAPA Scheduling Coordinator Services Contract 22-SNR-02792, WAPA is allowed to act as SSJID’s scheduling coordinator for all interactions with the California Independent System Operator (CAISO); and

WHEREAS, The major change is an extension of five years to the term of the current agreement; and

WHEREAS, the District’s best interests would be served by accepting these contracted services from WAPA; and

WHEREAS, the District is willing to enter into the Full Load Service Contract 22-SNR-02791 and the Scheduling Coordinator Services Contract 22-SNR-02792 with WAPA.

NOW, THEREFORE BE IT RESOLVED AND ORDERED that:

1. The foregoing findings are true.
2. The form of the Contract is approved.
3. The District’s General Manager is authorized to execute and deliver the Contract to Western.
4. The District’s General Counsel is authorized to attest to the General Manager’s signature.
5. The General Manager and the designated District staff are directed to take such actions as may be necessary for SSJID to perform its obligations in the Contract.

BE IT FURTHER RESOLVED AND ORDERED that the General Manager or his designee is authorized and directed to take all actions and execute such documents as may be necessary to accomplish the foregoing.

PASSED AND ADOPTED on this 25th day of October, 2022 by the following roll call vote:

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

Item #8 – Discuss and Consider Authorizing Staff to Present Comments to the California Air Resources Board Regarding Proposed Advanced Clean Fleets Regulation

Katie Patterson, Public & Government Relations Manager, stated that the Air Resources Control Board will be having a Public Workshop on October 27, 2022 regarding their proposed Advanced Clean Fleets Rule. The proposed rule is intended to build on the state’s effort to accelerate the deployment of lower-emission medium and heavy-duty vehicles. Ms. Patterson asked for direction if the Board would like her to attend the workshop and give a statement on behalf of the District.

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Director Holbrook would like to know if the ARB will be covering the additional costs for bookkeeping, disposal of batteries, etc. He is also concerned about the reliability of electric vehicles in an emergency situation.

Director Kamper stated that during water season vehicles are used 24 hours a day, seven days a week, and there is no rest time for our employees to charge vehicles.

The Board authorized Ms. Patterson to make oral comments at the Public Workshop in coordination with Oakdale Irrigation District and Tri-Dam staff to express concerns over the implementation and proposed rule language for the Proposed Advanced Clean Fleets Rule.

Item #9 – Presentation of Quarterly Financial Statements through September 2022

Sonya Williams, Finance and Administration Manager, gave a quarterly oral presentation to the Board of overall financial performance, relative to budget performance, through September 2022.

Item #10 – Presentation of Quarterly Investment Report for September 2022

Ms. Williams provided a quarterly oral presentation of the investment report for September 2022.

The next item to be taken up following Closed Session.

Item #11 – Consider Approval to Authorize General Manager to Sign Agreement with Nathan and Doni Rosasco Regarding Water Right Application A032949

It was announced that all items on the Closed Session agenda would be discussed. The Board took a brief recess at 10:45 a.m. and convened to Closed Session at 11:00 a.m.

Item #12 Closed Session

12. 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
- 2 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*

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San Joaquin Tributaries Authority vs. California State Water Resources Control Board (2021 Curtailment Case)
County of Fresno Superior Court
Case No. 21CDCG02632

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

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

- 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

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

RETURN TO OPEN SESSION

The Board returned to Open Session at 2:00 p.m.

Item #13 – 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.

The next items were taken up following Closed Session in Open Session.

Item #11 – Consider Approval to Authorize General Manager to Sign Agreement with Nathan and Doni Rosasco Regarding Water Right Application A032949

MOTION: A motion was made by Director Weststeyn and seconded by Director Holmes to approve agreement and authorize General Manager to execute on behalf of the District.

The motion passed 3 to 2 by the following vote:

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

Item #14 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:02 p.m.

ATTEST:

Dawn Driesen, Executive Assistant