

**MINUTES FOR THE DECEMBER 14, 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 \$328,061.60; Accounts Payable Wires in the amount of \$503,306.44; and Payroll dated December 3, 2021 in the amount of \$259,555.78.
- B. Approval of the Regular Board Meeting Minutes of November 23, 2021
- C. Consider Approval of Notice of Completion for Slater Waterproofing, Inc., for the Water Treatment Plant Drying Bed Re-Caulking Project
- D. Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 227-360-09
- E. Financial Statements for October 2021
- F. Investment Report for October 2021

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

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 Spyksma reported that he attended the Association of California Water Agencies (ACWA) 2021 Fall Conference on November 30 – December 2, in Pasadena, CA. He shared highlights from the conference including the excellent employee benefits provided by ACWA, and succession planning. Director Spyksma also commented on information acquired regarding functions of the Board and recommended an annual or bi-annual review of the District’s Values in efforts to continuously evaluate utilization by staff.

Director Kamper expressed gratitude for the current mild weather conditions following the severe rain event.

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Director Holbrook reported that he attended the San Joaquin Farm Bureau Committee meeting on November 23, via remote access. He stated that members expressed frustrations with virtual meetings, water restrictions, and mandatory programs and costs to farmers.

Director Holbrook reported that he attended the Tri-Dam Employee Appreciation Dinner on December 9. All SSJID Board Members attended, as well as two (2) Oakdale Irrigation District (OID) Board Members. He opined it was a well-organized event.

Director Holbrook referred to Director Spyksma's comment regarding SSJID's Values, and stated that a large plaque listing the District's Values is displayed on the wall as you enter the SSJID Control Room. He added that the plaque is a constant reminder to demonstrate ethical standards in our actions with the public and each other.

Director Weststeyn reported that he attended the Tri-Dam Employee Appreciation Dinner on December 9.

Director Weststeyn stated that he met with a constituent regarding bridge issues, and will discuss the issue further in Closed Session.

Director Weststeyn wished all a Merry Christmas and a Happy New Year with family.

Director Holmes reported that he attended the Eastern San Joaquin Groundwater Authority (ESJGWA) Steering Committee meeting on December 8, via remote access from the District Office. Discussion topics included the California Department of Water Resources' (DWR) comments of the ESJGWA Groundwater Sustainability Plan (GSP), and the ESJGWA's response to DWR.

Director Holmes reported that he attended the Tri-Dam Employee Appreciation Dinner on December 9. He thanked the Board for attending, and commented on an excellent event.

Director Holmes announced that he will be attending Tri-Dam's groundbreaking ceremony of Tulloch Reservoir's recreational area on December 15. He stated that Mr. Peter Rietkerk, SSJID General Manager, will also be attending.

Director Holmes wished all a Merry Christmas and Happy New Year.

Director Spyksma noted discussion at the ACWA Conference regarding the State taking more than 500,000 to 1,000,000 acres of irrigated agricultural land out of production in efforts to meet SGMA required groundwater levels. The intent is to utilize the land for public parks, habitat rehabilitation, dry crops, or grazing. The State's grab of agricultural land will cause losses of jobs and economic benefits worth billions of dollars.

Item #2 – Various Reports

The Managers' Reports were provided in written form to the Board on December 14, 2021.

Director Weststeyn asked Mr. Frank Avila, SSJID Irrigation Operations Manager, about status of the Pipeline Resurfacing project. Mr. Avila addressed the Board via the online Zoom meeting platform and responded that the original equipment ordered had not been received, to date. He added that, in an effort to expedite delivery, the vendor had ordered a different motor for the resurfacing machine which has been researched and approved by Mr. James Ferguson, SSJID Shop Department Supervisor. Mr. Chad Parsons, SSJID Associate Civil Engineer, addressed the Board via the online Zoom meeting platform and stated that all Shotcrete material ordered has been received, some of the equipment has been received, but receipt of the pump is 6 or 7 weeks away.

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Director Holbrook addressed Mr. Brandon Nakagawa, SSJID Water Resources Coordinator, for confirmation that the Greater San Joaquin County Regional Water Coordinating Committee (GSJCRWCC) meeting on December 15 had been canceled. Mr. Nakagawa confirmed cancellation.

Director Holbrook addressed Mr. Forrest Killingsworth, SSJID Engineering Department Manager, regarding status of the fish screen for the Canyon Tunnel project. Mr. Killingsworth stated that Provost and Pritchard is conducting work related to California Environmental Quality Act (CEQA) activities to obtain a preliminary CEQA document as required per the Lake and Streambed Alteration (LSA) application, as well as determination of a fish screen requirement.

Director Holmes noted that Mr. Bere Lindley, SSJID Assistant General Manager, stated in his Manager's Report that irrigation rate increases will be needed with or without the Water Master Plan (WMP), and inquired on what that implied for the timing of the start of a rate increase process. Mr. Lindley deferred to Mr. Rietkerk who responded that the financial effects of the WMP need to be more fully analyzed and understood in order to have a clearer picture of the District's future irrigation revenue needs before going public with a rate proposal. Mr. Rietkerk explained that a meeting of the WMP Ad Hoc Committee may be scheduled in January to discuss this issue, and confirmed the intent to propose a rate increase in 2022 to be implemented for the irrigation season of 2023. Mr. Lindley clarified the purpose in making that statement in his report was to emphasize that the WMP is not the first cause of our need for a rate increase, but that financial projections show the District would require irrigation rate increases in order to remain viable even if SSJID were not developing a WMP. Director Holmes commented that the WMP Ad Hoc Committee consists of Directors Holmes and Kamper, but recommended a potential rate increase also be discussed with the Finance Committee consisting of Directors Holmes and Spyksma.

Mr. Rietkerk wished all a Happy Holiday and Happy New Year. He commented on a challenging but successful year at SSJID during the COVID pandemic, and expressed appreciation for the entire SSJID Team and Board.

Mr. Rietkerk thanked the Board for approving the days off work from December 27 to December 30, 2021, for annual year-end recognition of SSJID staff in appreciation of successful and safe performance in 2021.

Mr. Rietkerk reported that he attended the ACWA 2021 Fall Conference on November 30 – December 2, in Pasadena, CA. He noted highlighted sessions including implementation of Assembly Bill (AB) 1668/Senate Bill (SB) 606 regarding urban water use standards; non-governmental organization (NGO) philosophy on groundwater trading; and drinking water standards.

Mr. Rietkerk reported that he attended a meeting with Westlands Water District's Directors and staff on December 1, at the ACWA Conference. Discussion topics included the 2021 attempted water transfer and ongoing drought concerns.

Mr. Rietkerk reported that he attended a meeting with State Water Resources Control Board (SWRCB) staff to discuss implementation of the Water Quality Control Plan (WQCP).

Mr. Rietkerk noted that the SWRCB is considering implementing a Term 91-like curtailment methodology and recently released a technical document on alternative ways to address severe water supply shortages, including implementation of Term 91 curtailments. The SWRCB will hold a workshop regarding proposed curtailment methodology on December 15.

Mr. Rietkerk announced that he will be attending the Tri-Dam groundbreaking ceremony of Tulloch Reservoir's recreational area on December 15.

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ACTION CALENDAR

Item #3 – California Special District Association Award Presentation of District Transparency Certificate of Excellence

Mr. Rietkerk addressed the Board regarding the California Special District Association (CSDA) award presentation of the District Transparency Certificate of Excellence, and introduced Mr. Dane Wadle, CSDA Field Representative and SSJID local liaison for any issues pertaining to special districts.

Mr. Wadle greeted the Board and stated his presence, on behalf of CSDA and the Special District Leadership Foundation (SDLF), to present SSJID with the District Transparency Certificate of Excellence in recognition of its outstanding efforts to promote transparency and good governance. He provided background of the SDLF Transparency Program, explained the application process, and detailed the governance and transparency requirements which included board member requirements, outreach requirements, website requirements, and timely filing of financial transactions and compensation reports to the State Controller’s Office.

Mr. Wadle explained that of the 2,000 independent special districts in the State, only 169 have received the transparency certificate which is valid for three (3) years. He further explained that transparency enhances accountability for the District, and assists CSDA as an advocate for that special district.

The Board thanked Mr. Wadle for the transparency certificate, and thanked staff for their efforts. Ms. Mia Brown, SSJID General Counsel, and Mr. Rietkerk acknowledged Ms. Danielle Barney, SSJID Executive Assistant/Clerk of the Board, for her coordination to follow up, collect required materials, and compile and submit the complete application packet to CSDA. Mr. Rietkerk added that it was a team effort and thanked Ms. Brown, Mr. Lindley, and Mr. Michael O’Leary, SSJID IT Systems Administrator, for their contributions.

The next item was taken up following Closed Session.

Item #4 – Discussion and Disposition of Claim: Oakdale Irrigation District, Money Damages in the Amount of \$29,692.04

It was announced that all items listed in the Closed Session agenda would be discussed. The Board took a brief recess at 10:01 a.m. and convened to Closed Session at 10:11 a.m.

Item #5 – CLOSED SESSION

5. 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
- 3 cases
- c. Conference with Legal Counsel – Existing Litigation
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
- 8 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

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: Woodward Reservoir
 Negotiating Parties: Stanislaus County

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District Negotiator: General Manager
Under Negotiation: Grant of License

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

RETURN TO OPEN SESSION

The Board reconvened to Open Session at 12:15 p.m.

Item #6 – 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 #4 – Discussion and Disposition of Claim: Oakdale Irrigation District, Money Damages in the Amount of \$29,692.04

MOTION: A motion was made by Director Kamper and seconded by Director Holbrook to deny the claim by Oakdale Irrigation District for Money Damages in the Amount of \$29,629.04.

The motion passed 5 to 0 by the following vote:

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

Item #7 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 12:16 p.m.

ATTEST:

Danielle Barney, Clerk of the Board