

**MINUTES FOR THE DECEMBER 19, 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 \$930,126.84; Accounts Payable Wires in the amount of \$793,839.80; and Payroll dated December 1, 2023 in the amount of \$306,951.17, December 4, 2023 in the amount of \$83.69, and December 15, 2023 in the amount of \$293,508.55.
- B. Approval of the Regular Board Meeting Minutes of November 28, 2023
- C. Consider Approval of One Year Extension of Existing Master Services Agreement for Jacobs Engineering
- D. Consider Approval of One Year Extension of Existing Master Services Agreement for MCR Engineering
- E. Consider Approval of One Year Extension of Existing Master Services Agreement for Provost & Pritchard Consulting Group
- F. Consider Approval of the 2024 Employee Pay Schedule
- G. Consider Approval of Annual Renewal of the SSJID Investment Policy

Ms. Sonya Williams, SSJID Finance and Administration Manager, noted a correction be made to page 2, Section 4 – Adoption and Duration, regarding the term dates ending December 31, 2023. Term dates will be corrected to read December 31, 2024.

Director Holbrook referenced page 2, Section 4 – Adoption and Duration, line 3 regarding language reading ... “the Treasurer will recommend...” He suggested the language be revised naming SSJID Treasurer Sonya Williams, per Board appointment on December 13, 2022.

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

The motion passed 5 to 0 by the following vote:

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

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**COMMUNICATIONS**

**Item #1 – Directors’ Reports**

Director Roos thanked staff for their work put forth in 2023 and wished all a Merry Christmas.

Director Kamper reported that he participated in the North San Joaquin Water Conservation District (NSJWCD) Tour on December 8, to visit the District’s facilities and projects. He commented on an interesting tour, the amount of water available to NSJWCD customers, and the fine screens utilized in the pump filters.

Director Kamper wished all a Merry Christmas.

Director Spyksma thanked staff and SSJID employees for their hard work in 2023 and wished all a Merry Christmas.

Director Spyksma reported that he attended the Association of California Water Agencies (ACWA) / Joint Powers Insurance Authority (JPIA) 2023 Fall Conference, from November 27-30, in Indian Wells, CA. He represented SSJID at the JPIA Board meeting and opined that the JPIA has evolved into a well-functioning organizational structure, while ACWA governance appears to remain an “old boys club.” Director Spyksma noted keynote speaker Yana Garcia, California Secretary for Environmental Protection, as well as a probable increase in rates and premiums in the future.

Director Holbrook reported that he participated in the NSJWCD Tour on December 8, and shared data regarding the District’s history, original versus current acres serviced, irrigated acres, water demand, and water sources. He commended SSJID Water Resources Coordinator Brandon Nakagawa, and SSJID Groundwater Liaison Bob Holmes, on their integral contributions to the East Bay Municipal Utility District (EBMUD) and NSJWCD collaboration on the Demonstration, Recharge, Extraction and Aquifer Management (DREAM) Project, and added that SSJID was mentioned in the tour narrative for their assistance funding some NSJWCD projects.

Director Holbrook thanked District staff and crews for jobs well done in 2023, and wished all a Merry Christmas and safe New Year.

President Weststeyn reported that he attended the San Joaquin Farm Bureau (SJFB) Water Advisory Committee meeting on November 28. He stated that he was approached by NSJWCD Board Director David Simpson regarding information on SSJID’s pipelining equipment and projects, and that he referred Mr. Simpson to Forrest Killingsworth, SSJID Engineering Department Manager.

President Weststeyn thanked District staff for their hard work put forth in 2023, and wished all a joyous Christmas and time off over the holidays.

**Item #2 – Various Reports**

Director Holbrook addressed Ms. Williams and referenced the Finance and Administration Manager’s Report for December 19, 2023, Section Finance, Projects/Activities, Bullet #6, State of California Department of Finance (DOF) COVID Grant Audit regarding the DOF Final Report dated December 12, 2023. He noted the report findings of no variances found per the audit, and commended Ms. Williams and her staff for their professionalism to meet the State’s requirements.

SSJID General Manager Peter Rietkerk passed, to the Board for viewing, cards received from State Representative Josh Harder, and the Manteca Chamber of Commerce, thanking the District for support of local

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issues and/or events.

Mr. Rietkerk noted a letter received from the City of Ripon (City) asking the District and the partner cities of the South County Water Supply Project (SCWSP) to consider an arrangement allowing the City to connect to the transmission line and receive water from the project. The letter was provided to the SCWSP partnering cities at the Nick C. DeGroot Water Treatment Plant (WTP) Operating Committee (Ops Committee) meeting on December 5. He stated that initial comments at the Ops Committee meeting seemed neutral, and that an arrangement would be subject to negotiation between SSJID and the participating agencies. Mr. Rietkerk added that he will compile feedback, issues and/or concerns received from the cities for further discussion. The City of Ripon has received a federal grant of \$3.5 million toward turnout and pipeline improvements for the requested project.

Mr. Rietkerk reported that staff participated in a Woodward Dam Emergency Action Plan (EAP) Tabletop Exercise on December 12, which is an annual requirement of California Water Code Sections 6160 and 6161. Staff received general training on the Statewide Emergency Management System, Incident Command System, and National Incident Management System, and an overview of SSJID roles and responsibilities in the event of an emergency. Participants discussed emergency scenarios for Woodward and areas of improvement, and practiced working the EAP. The event was conducted by Kjelden Sinnock and Neudeck, Inc., with help from an outside facilitator with extensive Emergency Management experience.

Mr. Rietkerk announced that Director Spyksma is unable to attend the next Tri-Dam Committee meeting scheduled in January and asked if a Board Member could attend in his place. Director Kamper volunteered to attend the next Tri-Dam Committee meeting, which will be held at Oakdale Irrigation District (OID).

Mr. Rietkerk thanked SSJID staff for a great year in 2023, and the Board for their leadership and constant support of District operations. He wished all a Merry Christmas and a Happy New Year.

**ACTION CALENDAR**

**Item #3 – Consider Approval of Option Agreement for Purchase and Sale of Real Property and Escrow Instructions for the Q/Qc Regulation Reservoir Project**

Mr. Killingsworth addressed the Board regarding approval of the Option Agreement for Purchase and Sale of Real Property and Escrow Instructions (Agreement) with The Wine Group (TWG) in association with the Lateral Q/Qc Regulation Reservoir Project (Project), and stated that reaching agreement on the proposed document is a significant milestone towards getting the project off the ground.

District staff, and SSJID General Counsel Mia Brown have been negotiating with TWG to secure the property, and draft, review, modify, and finalize said Agreement. Mr. Killingsworth summarized the primary terms of the Agreement including the property acreage of 21.21 acres, purchase price of \$42,300 per acre, and consequences if either the District or TWG should breach the contract.

Mr. Killingsworth stated that the draft California Environmental Quality Act (CEQA) has been completed and is scheduled to be published to the State Clearinghouse this month, the project design has reached the 60% design level and has met the satisfaction of Operations staff, the public review period required by the CEQA process will be completed in mid-January, the CEQA document will be scheduled for adoption at the Board meeting on February 13, and that the District should take ownership of the parcel by March-April 2024 if all goes as planned.

Ms. Brown noted Agreement Section 10.2, Remedies for Seller’s Breach, regarding the \$100,000.00 monetary cap on the Buyer’s right to recover out-of-pocket costs and expenses paid to third parties, or continue the

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Agreement and seek equitable remedy. She added that the aforementioned constitutes adequate protection for the District.

Additional Board discussion included inserting language prohibiting TWG from transferring District water for resale and clarification that irrigation service would be subject to the District’s water rules and regulations and other applicable laws. The Board noted that the purchase of said property will be helpful in the District’s efforts to acquire grant funding for the project.

**MOTION:** A motion was made by Director Kamper and seconded by Director Holbrook to approve the Option Agreement for Purchase and Sale of Real Property and Escrow Instructions with The Wine Group in association with the Lateral Q/Qc Regulation Reservoir Project with the insertion of language clarifying that District service will be subject to the District’s general Rules and Regulations for water and other laws, including drought restrictions.

The motion passed 4 to 0 by the following vote:

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

**Item #4 – Consider Approval of 2024 Revised Rate and Fee Structure with CV Strategies**

Ms. Katie Patterson, SSJID Public and Government Relations Manager, addressed the Board regarding approval of the revised rate and fee schedule, with SSJID lobbyists CV Strategies. She added that the scope of work has been included in the SSJID 2024 Work Plan, and had been approved through the 2024 budget process.

Ms. Patterson explained that the term would be from January 1 through December 31, 2024, and that the scope of work would include the District’s 115<sup>th</sup> Anniversary brand update (e.g. new anniversary logo, letterhead, PowerPoint template, press release template, and business cards, etc); coordinating with the IT Department with the new .gov domain for the website; collateral and booth material; billboard advertising; and social media content and presence.

Board approval would set a not-to-exceed amount of \$128,000.00 for activities January 1 through December 31, 2024, which had been coordinated with the approval of the 2024 Public Relations budget adopted by the Board of Directors on November 28, 2023.

Board discussion included functionality to utilize the new branding item(s) after the 115<sup>th</sup> year anniversary.

**MOTION:** A motion was made by Director Spyksma and seconded by Director Roos to approve the 2024 Revised Rate and Fee Schedule with CV Strategies for services not-to-exceed \$128,000.00, for the period of January 1 through December 31, 2024.

The motion passed 5 to 0 by the following vote:

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

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**Item #5 – Consider Approval to Renew Employment Contract with Robert Holmes**

Mr. Nakagawa addressed the Board regarding renewal of the Employment Contract with Robert Holmes through January 2025. He provided a recap of the original employment agreement with Mr. Holmes, approved by Board action on February 14, 2023, considered to be part-time at an estimated twelve (12) hours per month, at an hourly rate of \$100.00 per hour, through December 31, 2023.

Mr. Holmes currently serves on the South San Joaquin Groundwater Sustainability Agency (SSJGSA) Board of Directors, a joint powers authority representing SSJID and the Cities of Ripon and Escalon formed for local Sustainable Groundwater Management Act (SGMA) compliance; and appointed by the SSJGSA to serve on the Eastern San Joaquin Groundwater Authority (SSJGWA) Board of Directors and Steering Committee, representing the interests of the SSJGSA with fifteen other Groundwater Sustainability Agencies (GSAs) within the Eastern San Joaquin Subbasin.

Mr. Nakagawa noted that 2023 proved to be a “lull” year with Mr. Holmes’ averaging approximately 4-hours per month billed through November 2023, for a modest activity level. He emphasized that the activity level planned for 2024 will be significant and most likely push Mr. Holmes’ involvement to the 12-hours per month maximum due to urgent matters including:

1. 2025 Groundwater Sustainability Plan (GSP) Update – Must be adopted by all sixteen (16) GSAs and submitted to the California Department of Water Resources (DWR) by January 2025
2. Proposed ESJGWA budget increase of \$720,120.00 to pay for a consultant to prepare the 2025 GSP Update
3. Stakeholder Outreach and Engagement required by SGMA in preparation for the 2025 GSP Update
4. Inter-Basin coordination requirements with Modesto, Cosumnes, and Tracy Subbasins
5. Development of a Drinking Water Well Mitigation Program for well failures caused by conditions of groundwater overdraft.

Due to the significant upcoming activity in 2024 and the importance of the 2025 GSP Update, staff recommended renewal of the employment agreement with Mr. Holmes for the term of January 1, 2024 through January 1, 2025. If Board approved and at the SSJID President’s discretion, staff also recommended Mr. Holmes’ continued representation of SSJID on the SSJGSA; and at the SSJGSA Chair’s discretion, will also recommend to continue representing the SSJGSA at the ESJGWA.

Mr. Nakagawa acknowledged Mr. Holmes’ extensive experience successfully representing and navigating SSJID through the challenges of SGMA.

Board discussion included the importance to meet SGMA requirements with non-compliance potentially costing millions in penalties, and that switching leadership, at this time, could be detrimental. Board comments included Mr. Holmes’ passion for his work; a job well done; the respect of his fellow GSA Directors at the ESJGWA for his experience and knowledge; and that his views and opinions are valued at the ESJGWA. Director Weststeyn commended Mr. Nakagawa and Mr. Holmes for the work they do regarding SGMA, and as SSJID representatives on the SSJGSA, ESJGWA Board, and ESJGWA Steering Committee.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Spyksma to approve renewal of an Employment Agreement for Robert Holmes through January 2025.

The motion passed 5 to 0 by the following vote:

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

**Item #6 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 9:50 a.m. and convened to Closed Session at 10:00 a.m.*

**Item #7 – CLOSED SESSION**

**RETURN TO OPEN SESSION**

*The Board returned to Open Session at 1:39 p.m.*

**Item #8 – 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 #6 – Consider Claim Presented by Waste Management**

**MOTION:** A motion was made by Director Kamper and seconded by Director Spyksma to deny the claim presented by Waste Management.

The motion passed 5 to 0 by the following vote:

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

**Item #9 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:40 p.m.

**ATTEST:**

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Danielle Barney, Clerk of the Board