

**MINUTES FOR THE MAY 2, 2023  
SPECIAL MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District (SSJID) met in person in special session in the District Boardroom at 10:00 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

**ACTION CALENDAR**

**Item #1 – Consider Approval of Proposal for Engineering Services Related to Joint Supply Canal Long Tunnel Upstream Improvements**

Mr. Forrest Killingsworth, SSJID Engineering Department Manager, addressed the Board regarding approval of the proposal from Provost & Pritchard Consulting Group (P&P) to provide consultation, engineering, and bid support for the Joint Supply Canal (JSC) Long Tunnel Upstream Improvements project. He provided background of the JSC, and detailed the work completed to date, that has ensured the canal continues to run efficiently and safely.

Mr. Killingsworth explained that the District engaged Condor Earth in 2020 to develop a 5-Year JSC Maintenance Plan, which identified and prioritized rock slope mitigation and tunnel rehabilitation work needed to increase safety for workers and equipment, as well as reduce the likelihood of slope/tunnel failures. He further explained that the JSC is re-evaluated on an annual basis and the 5-Year Plan is appropriately updated so that improvements are executed at the appropriate times and anticipated expenditures can be budgeted and planned. Mr. Killingsworth stated that the next phase of work scheduled in the 5-Year Plan relates to the upstream portal of the Long Tunnel and a short section of canal upstream of the Long Tunnel Portal, and described the work involved.

Staff requested a proposal from P&P to provide engineering services related to project design and scoping, plan preparation, and bid support, which was received on April 10, 2023. Mr. Killingsworth explained that the principal engineers who developed the 2020 5-Year JSC Maintenance Plan now work for P&P and discussed their knowledge of the system and recommended improvements. He further described P&P's scope of work at an estimated cost of \$67,100.00, and stated that the proposal does not include services for construction-related support (e.g. inspection and construction management), some of which may be completed in-house.

Since the work is associated with the JSC, Oakdale Irrigation District (OID) provides reimbursement for 28-percent (28%) of all costs associated with the project, including the fees in the proposal. The District will be responsible for \$48,312.00 of the proposal total amount of \$67,100.00.

Discussion included coordination with OID; that the District and OID staff work together to coordinate anticipated projects on the JSC during the annual budget process; JSC maintenance work is typically presented to OID via a Tri-Dam Board meeting presentation; the projected timeline of the proposed work; the benefit of open bids for competitive pricing; and that working with an engineering firm with history and familiarity of a particular project proves advantageous, while new projects benefit from open bidding processes.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Kamper to approve the proposal from Provost & Pritchard Consulting Group for engineering services related to Joint Supply Canal Long Tunnel Upstream Improvements, in the amount of \$67,100.00.

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The motion passed 5 to 0 by the following vote:

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

**Item #2 – Consider Adoption of Resolution 23-15-Y Approving SSJID Financial Policy**

Ms. Mia Brown, SSJID General Counsel, addressed the Board regarding Resolution 23-15-Y Approving the SSJID Financial Policy, which memorializes the District’s continued commitment in applying non-rate revenues to defray a portion of the costs of providing irrigation water service to its customers.

Board discussion commended the writer(s) on a well-written document.

**MOTION:** A motion was made by Director Holbrook and seconded by Director Roos to adopt Resolution 23-15-Y Approving SSJID Financial Policy.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT  
RESOLUTION NO. 23-15-Y**

**RESOLUTION APPROVING FINANCIAL POLICY**

**WHEREAS**, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT’s (“District”) mission is to provide the utmost value for its agricultural, urban, and business community by protecting and delivering vital resources with exceptional service; and

**WHEREAS**, the District’s service area is approximately 72,000 acres, of which 50,000 acres is irrigated; and

**WHEREAS**, the District shares with Oakdale Irrigation District pre-1914 appropriative rights in the Stanislaus River, from which the District obtains its surface water supplies; and

**WHEREAS**, the District conjunctively manages surface water supplies from the Stanislaus River and groundwater to meet demand within the District’s service area; and

**WHEREAS**, the District is located within the boundaries of the Eastern San Joaquin Groundwater Subbasin, and the California Department of Water Resources has identified the Eastern San Joaquin Groundwater Subbasin as one of the state’s 21 critically overdrafted subbasins; and

**WHEREAS**, the District desires to implement an incentive pricing structure that promotes conjunctive use of surface water and groundwater such that the price of irrigation water, delivered from the District’s surface water supplies, is competitively priced with the costs of groundwater pumping to discourage growers from over-reliance on groundwater supplies; and

**WHEREAS**, the District is the owner of various property and facilities which generate revenues independent from and not derived by the District’s rates and charges for irrigation water service and the treatment and delivery of potable water (“non-rate revenues”); and

**WHEREAS**, the District has historically applied a portion of these non-rate revenues to defray a portion of the costs of service in providing irrigation water to its customers, thereby facilitating customer rates that are below the actual costs of service and promoting and contributing to the local agricultural economy; and

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**WHEREAS**, the Board of Directors finds it to be in the best interest of the District and the agricultural and business communities within the District, and for the protection of vital water resources, to continue to apply non-rate revenues to defray a portion of the costs of providing irrigation water service; and

**WHEREAS**, the Board of Directors finds that applying rate revenues to defray a portion of the costs of providing irrigation water service will assist the District in implementing a pricing structure where the price of irrigation water is competitively priced to discourage over-reliance on groundwater supplies; and

**WHEREAS**, the amount of the portion of non-rate revenues so applied may vary from time to time, at the sole discretion of the Board; and

**WHEREAS**, the application of non-rate revenues shall continue until such time as the Board of Directors finds it is either no longer in the best interests of the District, or the costs of service are adequately covered by revenue from irrigation customer rates.

**NOW THEREFORE BE IT RESOLVED**, by this Board of Directors that:

The District shall continue to apply non-rate revenues to defray a portion of the costs of providing irrigation water service to its customers.

**PASSED AND ADOPTED** this 2<sup>nd</sup> day of May, 2023, by the following vote:

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

**Item #3 – Discuss and Consider Approval of Encroachment Permit for Department of Transportation Project No. 1020000084 (high tension cable barrier for Highway 120 between Highway 99 and I-5)**

Ms. Brown addressed the Board regarding the California Department of Transportation’s (Caltrans) cable barrier project located at Highway 120 at Interstate 5. She stated that per District standard procedure, an encroachment permit is required which is being refuted by Caltrans. Ms. Brown cited multiple communications with Caltrans regarding the requirement of an encroachment permit application which had not been received to date.

Ms. Brown requested Board direction to approve the Encroachment Permit Application if received by Caltrans. She noted that the item was being presented before the Board to expedite the Caltrans project should an application be received, as the next regular board meeting is not scheduled until May 23.

**MOTION:** A motion was made by Director Kamper and seconded by Director Spyksma to approve an encroachment permit application for the Department of Transportation Project No. 1020000084 (high tension cable barrier for Highway 120 between Highway 99 and I-5), if deemed appropriate and acceptable by the SSJID Engineering Department.

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 #4 to be discussed following Closed Session.*

*It was announced that all items on the Closed Session agenda would be discussed. The Board convened to Closed Session at 10:20 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  
- 1 case
- c. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9  
- 2 cases

*SSJID vs. PG&E*  
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

- 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, Stockton East Water District, South Delta Water Agency,  
Banta Carbona Irrigation District, and other potential unknown parties  
District Negotiator: General Manager  
Under Negotiation: Price and terms of payment of sale
- ii. Property: Lateral Q/Qc Regulation Reservoir  
Negotiating Parties: Wine Group, LLC  
District Negotiator: General Manager  
Under Negotiation: Price and terms of payment of sale
- iii. Property: Lateral X-W Connection  
Negotiating Parties: Van Laar, Van Elderon, Brocchini, Bianchi  
District Negotiator: General Manager  
Under Negotiation: Price and terms of payment of sale

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- e. Public Employment  
California Government Code Section 54957(b)(1)  
Position(s): Accountant, and Administrative Specialist

**RETURN TO OPEN SESSION**

*The Board reconvened to Open Session at 11:15 a.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 – Consider Approval of Proposed Reclassifications in the Finance and Administration Department; and Approval of Job Descriptions and Compensation for Accountant, and Administrative Specialist**

**MOTION:** A motion was made by Director Spyksma and seconded by Director Roos to approve the proposed reclassifications in the Finance and Administration Department; and approve the job descriptions and compensation for Accountant, and Administrative Specialist.

The motion passed 5 to 0 by the following vote:

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

**Item #7 – ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 11:56 a.m.

**ATTEST:**

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Danielle Barney, Clerk of the Board