

Manteca, California  
August 7, 2017

The Governing Board of the South San Joaquin Groundwater Sustainability Agency (SSJGSA) met in a special session at the SSJID Board Room at 9:00 a.m. Dale Kuil called the meeting to order and led the flag salute. Self-introductions were made.

Upon roll call the following members were noted present:

**DIRECTORS:** Tammy Alcantor, City of Escalon  
Robert Holmes, South San Joaquin Irrigation District  
Dale Kuil, South San Joaquin Irrigation District  
Ralph Roos (alternate), South San Joaquin Irrigation District  
Leo Zuber, City of Ripon

**ABSENT:** NONE

Also present were SSJID General Manager Peter Rietkerk, SSJID Engineering Department Manager Sam Bologna, City of Ripon Administrator Kevin Werner, Valerie Kincaid, SSJID Special Counsel with O’Laughlin & Paris LLP, and SSJID Clerk of the Board Betty Garcia.

**Public Comment** - None

**ACTION CALENDAR**

**Item #1 – Oath of Office**

Ms. Robin Giuntoli, Notary Public with SSJID, issued the Oath of Office to each director of the SSJGSA.

**Item #2 – Officer Appointments**

A motion was made by Director Kuil and seconded by Director Roos to nominate the following directors to the office of:

CHAIR	BOB HOLMES
VICE-CHAIR	LEO ZUBER
SECRETARY	PETER RIETKERK

The motion passed 5 to 0 by the following vote:

AYES:	ALCANTOR HOLMES KUIL ROOS ZUBER
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #3 – Purpose/Mission Statement**

Mr. Rietkerk reviewed Section 1 (Purpose) of the SSJGSA Memorandum of Understanding with the group. He read the following paragraphs:

*The Parties hereby establish the South San Joaquin Groundwater Sustainability Agency to manage the portion of the Eastern San Joaquin Subbasin within the Parties' collective jurisdictions. The purpose of this MOA is to establish a framework to govern the actions of the SSJGSA. These actions include the development and implementation of a GSP for the Managed Area. The Parties intend to collaborate with other local agencies in the potential development of a Basin-wide GSP that is consistent with the goals, interests, authorities and responsibilities of the Parties. The Parties also have discretion under this MOA to form a separate GSP for the Managed Area and to work collaboratively with other GSAs within the Basin to enter into Coordination Agreements as required by the Act. In addition, in the future, the Parties may decide to form a new entity in order to serve as the GSA under a Joint Powers Agreement.*

*In developing, adopting and implementing a GSP for the Managed Area, or in any coordination with other GSAs and other interests in developing and implementing a Basin-wide GSP that is consistent with the Parties' goals and objectives for the Managed Area, it is each Party's intent, goal and objective to maintain complete control and autonomy over the surface water supplies, water facilities, water operations, groundwater supplies and assets to which each Party and each Party's constituents are legally entitled. Nothing in this MOA requires any contribution or commitment by a Party to share or otherwise contribute that Party's Water Assets as part of the development or implementation of a GSP without that Party's written consent.*

In summary of the purpose statement noted above, the following purposes are recommended to guide SSJGSA board and staff in their efforts towards SGMA compliance:

Purpose/Mission Statement

- Establish a collaborative framework to govern the actions of the SSJGSA in a manner that respects the control and autonomy of each Parties water resources, facilities, operations, and water assets, without obligating the Parties to contribute such resources without a Party's express consent
- Manager the portion of the Eastern San Joaquin Subbasin within the Parties jurisdictions
- Develop and implement a groundwater sustainability plan for the local Managed Area
- Collaborate with other local agencies in the development of a Basin-wide GSP that is consistent with the goals, interests, authorities, and responsibilities of the Parties. To the extent this collaboration does not serve the interest of the Parties, the SSJGSA may need to consider developing a separate GSP for the Managed Area and collaborating with other GSAs within the basin to enter into Coordination Agreements
- Determine whether to formalize the MOA under a Joint Powers Agreement for the GSA

A motion was made by Director Zuber and seconded by Director Alcantor to approve the purpose/mission statement listed above. The motion passed 5 to 0 by the following vote:

AYES:	ALCANTOR HOLMES KUIL ROOS ZUBER
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #4 – Approve the Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Agreement and Authorize the Governing Board Chair to execute the Agreement on behalf of the SSJGSA**

A motion was made by Director Zuber and seconded by Director Kuil to authorize the SSJGSA Chair to execute the JPA on behalf of the SSJGSA representatives.

The motion passed 5 to 0 by the following vote:

AYES:           ALCANTOR HOLMES KUIL ROOS ZUBER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #5 – Appoint SSJGSA Representative to the Eastern San Joaquin Groundwater Authority Board**

A motion was made by Director Zuber and seconded by Director Roos to appoint Dale Kuil as the representative to the Eastern San Joaquin Groundwater Authority JPA Board and to appoint Robert Holmes as the alternate representative.

The motion passed 5 to 0 by the following vote:

AYES:           ALCANTOR HOLMES KUIL ROOS ZUBER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #6 – Approval of Proposed Calendar Year 2017 Budget**

A motion was made by Director Roos and seconded by Director Zuber to adopt the current SSJID Budget available for groundwater activities totaling approximately \$150,771 for the remainder of Calendar Year 2017. Furthermore, SSJID is willing to accept financial responsibility for the proposed SSJGSA budget for the remainder of Calendar Year 2017, subject to revision based on proposal and adoption of new Groundwater Authority budgetary changes.

The motion passed 5 to 0 by the following vote:

AYES:           ALCANTOR HOLMES KUIL ROOS ZUBER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #7 – Formation of a Joint Powers Authority and future inclusion of the City of Manteca**

Mr. Rietkerk said during the discussions that led to the development of the SSJGSA, the Parties expressed interest in eventually converting the current MOA relationship into a joint-powers authority and forming a separate entity governed by the parties for the same purposes as the

current MOA. The joint powers agreement format did not materialize during SSJGSA formation talks because of the short timeframe for forming GSAs in order to comply with SGMA. He explained that agencies are utilizing joint powers authorities for groundwater management is to limit the potential liability of the individual agency by forming a separate agency to comply with SGMA and perform groundwater sustainability plan implementation. Ms. Kincaid said if the SSJGSA forms a Joint Powers Authority the Eastern San Joaquin Groundwater Authority would have to adopt it.

A motion was made by Director Zuber and seconded by Director Kuil to move forward with the process to form a Joint Powers Authority with or without the inclusion of the City of Manteca.

The motion passed 5 to 0 by the following vote:

AYES:	ALCANTOR HOLMES KUIL ROOS ZUBER
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**Item #8 – Conflict of Interest Code Requirements**

Ms. Kincaid stated that the Conflict of Interest Code is not required at this time until the formation of a JPA is completed.

This item was discussed but no action was taken.

**Item #9 – Policy Statements regarding stakeholder inclusion and participation in the Eastern San Joaquin Groundwater Authority**

Mr. Rietkerk stated the purpose of this item is to entertain general discussion and direction from the Governing Board regarding the need to issue policy statements about participation in the new Eastern San Joaquin Groundwater Authority, or other communication needs for stakeholders and local communities the Parties serve. He said some agencies are creating communications plans that set out stakeholder engagement, and communicate purpose to their stakeholders and community. Ms. Kincaid said that SGMA requires an active participant list, however, at this point, SSJGSA is not required to put out a public parties statement. Ms. Kincaid noted that at minimum, people who inquire about the group should be added to an interested parties list.

This item was discussed but no action was taken.

**Item #10 – Bylaws**

Ms. Kincaid briefly reviewed the proposed Bylaws for the SSJGSA with the group. Director Zuber noted under article 4.1 under Officers, the bylaws review the responsibilities of a Treasurer and that item #6.2.1 says the Board shall appoint the Treasurer from one of the Agency’s members. The group agreed to make changes to the Bylaws and they can be brought back at a later date for consideration.

This item was discussed but no action was taken.

**Item #11 – Advisory Committee Appointments**

Mr. Rietkerk stated the MOA requires that the Governing Board establish a Technical Committee made up of GSA staff. He said moving forward, managerial staff, as well as additional technical, financial, and legal staff from the parties and outside consultants will be necessary to inform and provide recommendations to the technical committee for the direction in the GSP plan development and implementation.

A motion was made by Director Zuber and seconded by Director Roos to nominate Tammy Alcantor, Kevin Werner, Valerie Kincaid, Sam Bologna, and Peter Rietkerk to serve on the technical committee and provide the committee the latitude to engage additional GSA staff from their individual agencies and consultants within approved budgets to accomplish the mission of the SSJGSA.

The motion passed 5 to 0 by the following vote:

AYES:           ALCANTOR HOLMES KUIL ROOS ZUBER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**Item #12 – ADJOURNMENT**

There being no further business to come before the board, a motion was made by Director Zuber and seconded by Director Roos to adjourn the meeting at 10:42 a.m.

The motion passed 5 to 0 by the following vote:

AYES:           ALCANTOR HOLMES KUIL ROOS ZUBER  
NOES:           NONE  
ABSTAIN:       NONE  
ABSENT:        NONE

**ATTEST:** \_\_\_\_\_  
              Betty L. Garcia, Clerk of the Board