

**MINUTES FOR THE FEBRUARY 11, 2020
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District met in regular session in the District Boardroom at 9:00 a.m. Director Kamper called the meeting to order and led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: KAMPER HOLBROOK HOLMES ROOS 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 Warrants in the amount of \$495,775.50; Accounts Payable Wires in the amount of \$449,860.21; and Payroll dated January 31, 2020 and February 7, 2020 in the amount of \$238,629.44.
- B. Approval of the Regular Board Meeting Minutes of January 28, 2020

Director Holmes noted an amendment to be made to page 2, Director Holmes' report of the Mid-Pacific Water Users Conference, Bullet 2:

- Opportunity to meet and speak with Jason Larrabee, Senior Policy Advisor at Van Ness Feldman, LLP, who provides clients with policy guidance and strategic advice on natural resources, agriculture, energy, and transportation policy issues. *Corrected from reading "Speaker: Jason Larrabee."*

Director Holmes noted an amendment to be made to page 9, Agenda Item #2, Board Motion:

- A motion was made by Director Holbrook and seconded by Director Holmes to authorize staff to do all things necessary and decide upon the terms for GRI to provide a surety bond ensuring satisfactory completion of the project within the time allotted. *Corrected from reading "...the terms for GSI...."*

- C. Approval of the Special Board Meeting Minutes of January 28, 2020
- D. Approval of Consent to South San Joaquin Irrigation District's Entry of Property to Read and to Maintain Flow Meter, 19685 Harold Avenue, Escalon
- E. Approval of Notice of Completion for the 2019-20 Cut Down Pour Over Wall Project

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

The motion passed 5 to 0 by the following vote:

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

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Director Kamper announced that today's Agenda Item #5 – "Consider Approval of the South San Joaquin Irrigation District's Rates Policy" will be tabled to a future Board meeting.

COMMUNICATIONS

Director Holbrook attended the San Joaquin Farm Bureau (SJFB) Water Committee meeting on January 28. A presentation was given by Stockton East Waster District (SEWD) regarding a proposed groundwater rate increase by legislative changes. In addition, SEWD is asking for a letter of support from SSJID and other agencies.

Director Weststeyn attended the San Joaquin Tributaries Authority (SJTA) meeting on February 10.

Director Weststeyn inquired on the status of leasing District property, located at Austin Road and Louise Avenue, which was approved to let by Board action at the SSJID Board meeting on December 10, 2019. Ms. Mia Brown, SSJID General Counsel, responded that there were no inquiries received or interest in the property by December 31, 2019. She added that effective January 1, 2020, Assembly Bill (AB) 1486 – Surplus Land deems unused property as "surplus" and requires local agencies (including sewer, water, utility, and local and regional park districts) to send a written offer to sell or lease surplus land to various local entities for the purposes of developing low-and moderate-income housing before disposing of the property on the open market. The property at issue is zoned for agricultural purposes and is let on a year-to-year basis, so it is unclear how the new law would apply.

Director Roos attended the SSJID Finance Committee meeting on February 3 to review the proposed rates policy.

Director Roos attended the SJTA meeting on February 10. Discussion included water usage and water rights.

Ed Erisman, Water Treatment Plant (WTP) Manager:

- In December 2019, the California State Water Resources Control Board (SWRCB) conducted the annual inspection of the WTP. The inspection results letter was received concluding that operations were overall satisfactory, but noted a few deficiencies including sampling schedule reminders, requests for documentation, and recycled water turbidity which staff has been aware of and monitoring. The SWRCB is requesting SSJID to invest in a treatment method to reduce turbidity. In addition, the SWRCB is recommending for the District to evaluate its water system resiliency and preparedness to climate change events. Staff is researching effective measures of resolution.
- Both of the treated water reservoirs that were recently drained, cleaned, and inspected have been disinfected and put back into service. The tank at M2 looks good and no issues detected with the interior coating. The tank at the WTP will need to be sandblasted and recoated. A tank coating specialist, as well as a corrosion control specialist, have inspected the damage and determined that proper adjustment to our cathodic protection system will protect the tank for one year. This will allow time to properly budget for the expensive repairs.
- Staff has hauled away 150,000 gallons of neutralized citric cleaning waste to the City of Manteca Waste Water Treatment Plant (WWTP) over the last few weeks. Hauling to Manteca WWTP has reduced hauling costs in half. Unfortunately, the City of Manteca is unable to accept all of the water generated by the WTP. The remainder of the citric cleaning waste was hauled to the City of Tracy WWTP.

Frank Avila, Irrigation Operations Manager:
Water Department

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- The elevation at Woodward is at 191.40.
- The Pipe Crawling crews are performing repairs on District facilities. In addition, crews have been working at the Frankenheimer hydroelectric plant plastering cracks on the canal lining.
- The Pipe Installation crew has completed their portion of work on the V-line at Melton Road. Additional work will be staff's installation of the farmer's valves, once procured by the landowner.
- The Heavy Equipment operators are working at the Main Supply Canal (MSC), in the area below the siphon, to refurbish the canal bank in an effort to stop the seepages experienced last year.
- Mr. Avila announced the retirement of Mr. Bob Anderson, SSJID Division Manager. February 11 will be Mr. Anderson's official last day after serving the District for over 25 years.

Construction Department

- Work at the Joint Supply Canal (JSC) and MSC is complete, which included shotcrete on the Vaa ditch to replace 70 feet of bank damaged by trees. The Shotcrete crew's next assignment will be repair work at Woodward Reservoir Dam #2.

Shop Department

- The Shop crew continues to be busy with fleet maintenance and fabrication tasks. Three (3) new Toyota trucks for the SSJID fleet have been received. Proper modifications are currently being done to the vehicles to ensure readiness for use this water season.

MDC/Telemetry Department

- The Box crew, working in combination with the Control Room operators, are continuing to make good progress with their projects. Completion of the work to float box connections is anticipated within two (2) weeks.
- The installation of the trash screens, at Drop #13, is going well with the screens and Rubicon gates in place. The SCADA team will now concentrate on completing the electronics and power portion of the work. Completion of the project to is anticipated within two (2) weeks.
- Crews are working on the open ditches and cleaning road crossings. This work is at 50% completion.

Mr. Avila stated that Mr. Jason Wirstlin, SSJID Division Manager, is covering for Mr. Joe Hasten, SSJID Irrigation Services Supervisor, who is out on scheduled vacation.

Forrest Killingsworth, Engineering Department Manager:

Joint Supply Canal (JSC) Rock Slope Maintenance Project

- Mr. Killingsworth reminded the Board of the upcoming site visit of the JSC, which will occur on February 25 as part of the regularly scheduled Board meeting. The purpose of the tour is to discuss the 5-year Maintenance Plan and to view the work performed by Drill Tech Drilling and Shoring. On February 12, Mr. Peter Rietkerk, SSJID General Manager; Mr. Avila; Mr. Killingsworth, and Condor staff will participate in a preliminary site visit of the JSC.

Bellino Quarry Site

- The temporary equipment crossing is currently under construction. All pipe has been installed and concrete collar hookups have been poured. The contractor should be complete with pipeline construction by the end of the week.
- Fence installation has not begun but will need to be complete by March 1.

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Water Master Plan Infrastructure Planning

- Staff from Operations and Engineering have completed six (6) 4-hour infrastructure workshops to identify projects that will be proposed for baseline and targeted modernization alternatives. The infrastructure team is evaluating each segment of infrastructure to understand how it needs to evolve to support the continuous transition to micro and drip irrigation, without negatively impacting level of service.
- Staff has covered approximately half of the District’s facilities so far and has identified approximately 212 projects, primarily related to capacity restraints, automated flow regulation, and pipeline pressure management.
- Five (5) more 4-hour workshops are scheduled to finish evaluating the remainder of the District.
- Staff is tentatively planning to provide a presentation to the Grower Advisory Committee on March 5. Primary topics will be related to land use, hydrology, and water supply and demand.

Customer Permits

- Staff has received inquiries regarding the start of water season and how that relates to structure permit construction. Currently, there are nine (9) open permits to connect to District water.

Brandon Nakagawa, Water Resources Coordinator:

- Mr. Nakagawa attended the SJFB Water Committee meeting on January 28. SEWD presented on their efforts to raise the groundwater rate cap, which was set by State legislation decades ago. The result will enable the District to incentivize surface water use by equalizing the groundwater and surface water rates which is a major part of SEWD’s SGMA compliance strategy. SEWD is seeking the support of the SJFB. County staff also updated the group on the proposed assessment increase for levee and channel maintenance. The County is in discussions with the SJFB to reduce the level of activity resulting in a reduced agriculture assessment rate for the upcoming Prop 218 ballot.
- On January 31, Mr. Nakagawa accompanied Mr. Rietkerk to a meeting in Los Banos hosted by Congressmen Jim Costa and TJ Cox, and Assemblymember Adam Gray. Mr. Wade Crowfoot, California Secretary of Resources, and Bureau of Reclamation Mid-Pacific Regional Director Ernest Conant were the key note presenters. Secretary Crowfoot and Director Conant talked about the Voluntary Agreement process and their respective Administrations’ position on the recently released biological opinion.
- Upcoming meetings:
 - Eastern San Joaquin Groundwater Authority Board of Directors – February 12, in Stockton
 - Delta Conveyance Project Scoping Meeting – February 14, in Stockton
 - South San Joaquin Groundwater Sustainability Agency – February 19, at SSJID

Peter Rietkerk, General Manager:

PUBLIC RELATIONS

Mr. Rietkerk made the following Public Relations announcements:

- Ripon Chamber of Commerce Almond Blossom Festival on February 21-23 – As a continued sponsor of this event, SSJID received two (2) carnival entry tickets and two (2) VIP parking passes. Please see Ms. Danielle Barney, SSJID Executive Assistant / Clerk of the Board, if interested in attending.
- City of Manteca “State of the City” on February 26, 7:30-9:30 a.m. at the Manteca Transit Center – As a President’s Circle Member of the Manteca Chamber of Commerce, SSJID received two (2) tickets to

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this event. Additional tickets are readily available. Breakfast is provided. Please see Ms. Barney if interested in attending.

- American Legion Post 249 Annual Dinner “Roast” on March 13 at the Manteca Senior Center – This year’s “roast” recipients will be Tevani and Jeff Liotard. As a continued sponsor of this event, SSJID received eight (8) entry tickets. Please see Ms. Barney if interested in attending.
- The Association of California Water Agencies (ACWA) 2020 Spring Conference registration is now open. The conference will occur May 5-8 in Monterey, CA. Hotel registration will not be open until February 24. Please inform Ms. Barney if you are interested in attending. Hotel reservations should be made as soon as possible to ensure room availability.
- Mr. Rietkerk circulated, to the Board for viewing, notes received from community organizations thanking SSJID for their sponsorship of events and/or outreach efforts.
- Mr. Rietkerk circulated, to the Board for viewing, a publication of the Manteca Bulletin, dated Friday, January 31, 2020. SSJID was highlighted, in the “President’s Circle Spotlight” of the Manteca Chamber Corner, allowing the opportunity to provide the public with the District’s history and vision for the future.
- In June 2019, a request was received from CalWARN, a mutual aid organization that SSJID joined several years ago, for personnel with meter technician and water distribution experience to assist in providing water service for the Paradise Irrigation District (PID), following the devastating Camp Fire in 2018. Mr. Erisman and Mr. Matt Gonzales, SSJID T4 Operator, volunteered to assist with these efforts from August 11 through August 16. On August 21, 2019, the Paradise Irrigation District adopted Resolution #2019-08 in appreciation of the mutual aid support provided by multiple water agencies and volunteer organizations. Mr. Rietkerk circulated, to the Board for viewing, the framed PID resolution, a thank you letter from PID, and a book containing a collection of thank you messages from the Paradise community.

GENERAL MANAGER

- On January 31, Mr. Rietkerk attended a meeting hosted by Congressmen Jim Costa, which discussed Governor Gavin Newsom’s proposed new framework which will “provide the foundation for binding voluntary agreements between government agencies and water users with partnership and oversight from environmental groups.” SSJID has concerns with the fundamentals in the Governor’s new framework regarding the proposed baseline, and the considered funding mechanisms. SSJID and Oakdale Irrigation District responded in a joint letter to Representative Josh Harder, Representative Jerry McNERney, and Representative Tom McClintock which stated their negative concerns. Mr. Rietkerk circulated a copy of the letter to the Board.
- On February 6, Mr. Rietkerk met with Mr. Pete Thompson, President, Eckert Cold Storage; and, Mr. Eric Schwartz, CEO, Eckert Cold Storage, to discuss their waste water issues encountered with the Cities of Escalon and Manteca. Mr. Thompson and Mr. Schwartz are considering alternatives and inquired if the District might consider accepting their waste water. Mr. Rietkerk added that the water would be diced-vegetable wastewater, and that areas of concern could be permit requirements and water quality. A formal request has not been received from Eckert Cold Storage, though one may be forthcoming initiating Board discussion.
- On February 3, Senator Scott Wiener held a press conference to introduce a bill that would reform Pacific Gas & Electric’s (PG&E) structure and rebrand it as a publicly owned energy district. Senator Wiener has made a promise to SSJID assuring that our customers will not be impacted by the bill.
- On February 4, Mr. Rietkerk attended the City of Manteca’s Council Meeting regarding an agenda item to consider joining the Coalition Advocating the Restructuring of PG&E. The Council addressed Mr. Rietkerk with inquiries of SSJID’s Retail Electric Project, and discussed the differences between

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Publicly Owned Utilities and a Utility Cooperative. Mr. Rietkerk responded that the District is not opposed to the proposal to join the coalition, but is requesting the Council not join the coalition at this time in support of SSJID’s Retail Electric Project. The Manteca City Council voted to not support the proposal to join the Coalition Advocating the Restructuring of PG&E.

- Mr. Rietkerk is continuing to work with MHD on the public information campaign for SSJID’s Retail Electric Project. The new website should be ready by the end of February.

ACTION CALENDAR

Item #2 – Discussion and Possible Action to Set the Start Date and Initial Allocations for the 2020 Water Season

Mr. Rietkerk addressed the Board regarding the 2020 water supply outlook and the start of the 2020 irrigation season. He provided detailed information regarding historical precipitation; 2020 hydrology and Stanislaus River operations; water storage management and conservation accounts; the District’s capital construction and maintenance projects; grower and developer permitting; and, other operational considerations including time needed to complete construction projects and preparation of water season.

MOTION: A motion was made by Director Roos and seconded by Director Holmes to tentatively set the start of water season date to March 4, 2020 as adopted in Resolution # 20-02-W Declaring the Start of 2020 Irrigation Season and No Initial Imposition of Water Allotment or Tier II Restriction. This item will be reviewed at the next Board meeting on February 25.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 20-02-W**

**DECLARING START OF 2020 IRRIGATION SEASON AND NO INITIAL IMPOSITION OF
WATER ALLOTMENT OR TIER II RESTRICTIONS**

WHEREAS, the South San Joaquin Irrigation District (SSJID) is authorized to impose water allocations, restrictions, and water conservation measures pursuant to Sections 350 *et seq.* and Division 11 of the California Water Code, in the event of a present or threatened water shortage; and,

WHEREAS, SSJID has imposed such allotments and restrictions in the past, when SSJID’s water supply was endangered due to multiple years of below-average precipitation which reduced inflow to and depleted storage levels within New Melones Reservoir, making such extraordinary conservation measures necessary; and,

WHEREAS, SSJID’s Board of Directors adopted Resolution 00-21-O on November 14, 2000, which provides that the water supply to lands annexed after that date “. . . is subject to cutoff in order for the District to serve Original Landowners and to satisfy the District's contractual obligations to the Cities of Manteca, Escalon, Ripon, Lathrop and Tracy,” and which cutoff is referred to below as “Tier II Restrictions;” and,

WHEREAS, the 2020 water year has experienced a precipitation rate of approximately 50-percent of average to date, and inflow into New Melones Reservoir is not expected to surpass 523,000 acre-feet; and,

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WHEREAS, the amount of water expected to be available to SSJID through current estimates and conservation account entitlements in New Melones is anticipated to conservatively meet the full agricultural and municipal needs of the District for the 2020 water year; and,

WHEREAS, the expectation that SSJID’s available water for the 2020 water year will be sufficient to fully, albeit conservatively, meet the needs of its agricultural and municipal customers makes extraordinary conservation measures in the form of allotment and Tier II restrictions unnecessary at this time.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the South San Joaquin Irrigation District:

1. The foregoing Recitals are true and correct.
2. The 2020 Irrigation Season shall start on March 4, 2020.
3. There shall be no maximum limit on the number of inches of water that will be delivered to growers.
4. There shall be no Tier II restrictions imposed.
5. Deliveries of drinking water to the Cities of Manteca, Lathrop and Tracy will not be restricted.
6. Should unprecedented dry hydrology continue to undermine available water supplies necessary to meet anticipated District demands, the Board reserves the right to reconsider water allotments and restrictions for the remainder of 2020 to assure the adequate allocation of available water supplies.
7. District municipal and agricultural customers and employees are encouraged to take reasonable and appropriate measures to prevent unnecessary and wasteful use of water, and are further encouraged to prudently and efficiently use available water resources.

MOTION: PASSED AND ADOPTED by the Board of Directors of the South San Joaquin Irrigation District at a regular meeting thereof held this 11 day of February, 2020 by the following roll call vote:

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

Dave Kamper, President

ATTEST:

Peter M. Rietkerk, Secretary

Date

The Board took a short break at 10:35 a.m. and reconvened to open session at 10:47 a.m.

Item #3 – Consider Acceptance of New Easements for Lateral “Kac/Bkf” and Quitclaim of Original Easements

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Mr. Killingsworth addressed the Board and provided a history of the SSJID pipeline and its alignment related to the actual location of the easement. The existing pipeline does not coincide within the existing easement. The easement lies on property owned by Cynthia R. Alfieri, and properties owned by Fred and Pamela Davidson. The owners have expressed interest in relocating the District’s easement to align with the actual facility, and have submitted applications to do so. Staff is recommending that the District accommodate the landowners request, accept the new easements, and quitclaim the misaligned easement.

MOTION: A motion was made by Director Holbrook and seconded by Director Weststeyn to authorize staff to do all things necessary and proper to process the relocation of the District’s easements at the Lateral “Kac/Bkf” per the items as listed in agenda Item #3 of today’s agenda packet, and to waive the application fee typical associated with property interests transfers.

The motion passed 5 to 0 by the following vote:

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

Item #4 – Consider Approval of Consulting Services Agreement with Davids Engineering, Inc., for Task Orders #1, #2 and #3 for a Total Not to Exceed the Amount of \$165,778

Mr. Nakagawa addressed the Board regarding the proposed consulting services agreement with Davids Engineering, Inc., and provided detailed descriptions of Task Order #1, Task Order #2, and Task Order #3 of said proposal. Mr. Nakagawa further explained that the proposal is divided into three (3) task orders due to separate scopes of work and budgets, and to allow for efficient tracking purposes.

1. Task Order One: Develop Semi-automated Water Balance Update Procedures (Not to Exceed Amount \$101,547)
2. Task Order Two: Develop Water Year Totals for 2016 through 2019 for Sustainable Groundwater Management Act (SGMA) Reporting (Not to Exceed Amount \$10,903)
3. Task Order Three: 2020 Agricultural Water Management Plan Update (Not to Exceed Amount \$53,328)

MOTION: A motion was made by Director Holmes and seconded by Director Holbrook to approve the consulting services agreement with Davids Engineering, Inc., for Task Orders #1, #2, and #3 for a total not to exceed the amount of \$165,778.

The motion passed 5 to 0 by the following vote:

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

Item #5 – Consider Approval of the South San Joaquin Irrigation District’s Rates Policy

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Per Board decision, Agenda Item #5 has been tabled to a future SSJID Board meeting.

Item #6 – Consider Adoption of Resolution #20-01-B Regarding Division 9 Rates for the 2020 Water Season

Ms. Sarah Bloom, SSJID Management Accountant, addressed the Board and immediately referred to the revised Resolution 20-01-B Certifying 2020 Charges for Services Furnished by the South San Joaquin Irrigation District, which she distributed to the Board. She asked the Board not refer to the resolution included in the Board agenda packet. Ms. Bloom explained that the revision is contained in paragraph 5 (highlighted in yellow) regarding a correction to Proposition 218 election expiration dates. Ms. Bloom further explained that there can be no change made to the pressurization charge in accordance with the provisions of Proposition 218 and Government Code Section 53756, Rule 3a regarding the annual adjustment method and the resulting inflationary index of \$0. Hence, the 2020 Pressurization Charge will remain the same as that of 2019.

MOTION: A motion was made by Director Holmes and seconded by Director Weststeyn to adopt Resolution #20-01-B to establish the Division 9 rates for the 2020 water season, recognizing the correct Pressurization Charge of \$47 per acre-foot, and reaffirming the other water charges for use in 2020.

**\SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION 20-01-B**

**CERTIFYING 2020 CHARGES FOR SERVICES
FURNISHED BY THE SOUTH SAN JOAQUIN IRRIGATION DISTRICT
FEBRUARY 11, 2020**

WHEREAS, Irrigation District law provides authority for the South San Joaquin Irrigation District, (“District”) in lieu, in whole or in part, of levying assessments, to fix and collect charges for any service furnished by the District and to prescribe reasonable rules with respect to said charges; and,

WHEREAS, the District currently charges a flat rate charge (“Flat Rate Charge”) of \$24.00 per acre per year for water service to each parcel in the District on which District-supplied surface water is available for irrigation, with a minimum charge of \$50 per year; and,

WHEREAS, the District currently charges a groundwater recharge charge (“Ground Water Recharge Charge”) of \$12.00 per acre per year to each parcel in the District of 10 acres or more which is subject to a recorded Irrigation Service Abandonment Agreement, and on which crops are commercially grown; and,

WHEREAS, on July 31, 2012, in conformance with the procedural requirements of Proposition 218, the District approved an additional volumetric charge of \$3 per acre-foot (“First Tier Volumetric Charge”), and on September 22, 2015 limited the First Tier Volumetric Charge to the first 48 inches of water used per year, and approved an additional volumetric charge of \$10 per acre-foot for water used in excess of 48 inches per year starting in 2016 (“Second Tier Volumetric Charge”); and,

WHEREAS, on February 23, 2016, in conformance with the procedural requirements of Proposition 218, the District approved a pressurized water charge (“Pressurization Charge”) for customers served with pressurized water from the District’s Irrigation System Improvement Project set at \$44 per acre-foot consisting of (a) \$34 per acre-foot for recovery of electricity expense, subject to an annual inflation or deflation

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adjustment, and (b) \$10 per acre-foot for replacement of capital assets, which is not subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$44 was effective for the 2016 season and will adjust for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2017, 2018, 2019 and 2020. The annual inflation or deflation index is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year; and,

WHEREAS, Notice of the electricity expense change and the resulting change in the Pressurization Charge shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address; and,

WHEREAS, the District declares the following with respect to the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge:

- (1) The revenues derived from the aforementioned charges do not exceed the costs of providing the subject properties with the respective service(s); and,
- (2) The revenues derived from the charges will not be used for any purpose other than that for which the charges are imposed; and,
- (3) The amount of a charge imposed shall not exceed the proportional cost of the service(s) attributable to the subject property.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that pursuant to Sections 22280 and 22283 of the Water Code, the Flat Rate Charge, Ground Water Recharge Charge, First and Second Tier Volumetric Charges, and Pressurization Charge shall remain in effect at their current levels for the 2020 calendar year as follows and subject to the following rules:

RULE NO. 1: FLAT RATE CHARGE

- a) For each separate parcel, as shown on the District records of San Joaquin County Assessor's Parcel Maps, which is not the subject of an Irrigation Service Abandonment Agreement with the District, there shall continue to be a charge for the use of District water, an annual Flat Rate Charge of \$24.00 per acre.
- b) The minimum amount for the Flat Rate Charge shall continue to be \$50.00. The Flat Rate Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2019 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2020.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2019 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2020.
- e) For parcels billed by the District, water service will be denied to any land having outstanding Flat Rate Charges in excess of ten (10) working days.

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RULE NO. 2: FIRST and SECOND TIER VOLUMETRIC CHARGES

- a) There shall continue to be a First Tier Volumetric charge of \$3 per acre-foot for the first 48 inches and a Second Tier Volumetric charge of \$10 per acre-foot for water used in excess of 48 inches.
- b) Water service will be denied to parcels having outstanding volumetric charges in excess of \$10 for 45 days or longer.

RULE NO. 3: PRESSURIZATION CHARGE

- a) The pressurization charge and the annual adjustment feature is described as follows.
On February 23, 2016, the District imposed an ongoing pressurized water charge (“Pressurization Charge”) for customers served with pressurized water from the District’s Irrigation System Improvement Project set at \$44 per acre-foot consisting of (a) \$34 per acre-foot for recovery of electricity expense, subject to an annual inflation or deflation adjustment, and (b) \$10 per acre-foot for replacement of capital assets, which is not subject to an annual inflation or deflation adjustment. The Pressurization Charge of \$44 was effective for the 2016 season and will adjust for inflation or deflation in accordance with the provisions of Proposition 218 and Government Code section 53756 for each of 2017, 2018, 2019 and 2020. The annual inflation or deflation index is the change in the cost of electricity, on a per acre-foot basis, experienced by the pressurized water system in the preceding year. Notice of the electricity expense change and the resulting change in the Pressurization Charge shall be given by mail to each customer subject to the Pressurization Charge at the address to which the District customarily mails the billing statement for the Pressurization Charge, and to the record owner's address shown on the last equalized assessment roll, if that address is different than the billing address.
- b) The annual adjustment method described in Rule 3a above results in an inflationary index of \$0. Hence, the 2020 Pressurization Charge will be the same as that of 2019. Therefore, each separate parcel which receives pressurized water from the District’s Irrigation System Improvement Project, shall, in addition to the Flat Rate Charge described in Rule No. 1, and the First and Second Tier Volumetric Charges described in Rule No. 2, pay a Pressurized Charge of \$47 per acre-foot during 2020.
- c) Parcels receiving pressurized water from the District’s Irrigation System Improvement Project will be billed each month of the irrigation season both for delivery of District-supplied surface water under Rule No. 2 and for pressurization of such water under this Rule No. 3.
- d) Water service will be denied to parcels having outstanding Pressurization Charges in excess of ten (10) working days.

RULE NO. 4: GROUNDWATER RECHARGE CHARGE

- a) For those separate parcels, as shown on the District records of San Joaquin County Assessor’s Parcels, which are used to grow commercial crops and which are the subject of an approved District

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Irrigation Service Abandonment Agreement, there shall continue to be an annual Ground Water Recharge Charge of \$12.00 per acre for the benefits derived from groundwater recharge.

- b) The Groundwater Recharge Charge is due on receipt and payable in two installments.
- c) For parcels billed by the District, the first installment is delinquent if not paid by 4:30 p.m. on December 20, 2019 and the second is delinquent if not paid by 4:30 p.m. on June 20, 2020.
- d) For parcels billed by San Joaquin County, the first installment of such charges will be delinquent if not paid by the customer to the County by December 10, 2019 and the second installment of such charges will be delinquent if not paid by the customer to the County by April 10, 2020.

RULE NO. 5: SERVICE ABANDONMENT

- a) Those separate parcels, as shown on the District records of San Joaquin County Assessor's Parcels, which do not utilize District water service may be exempted from the District Flat Rate Charge provided the owners of such lands enter into an "Irrigation Service Abandonment Agreement" with the District, and,
- b) Provided further, there are no outstanding amounts owed to District for water service on such lands.
- c) Such parcels may also be exempted from the Ground Water Recharge Charge, provided such parcels are less than 10 acres or are not used to grow commercial crops.

RULE NO. 6: COLLECTION

The Board authorizes the charges to be billed and collected by the District and to deny water service to parcels having outstanding charges that exceed the thresholds established in the Rules above.

The Board authorizes the charges resulting from the Flat Rate Charge and Groundwater Recharge Charge to be transmitted to the County Auditor-Controller and continue to be enrolled on the tax roll of the County of San Joaquin for collection at the same time, in the same manner, and subject to the same penalties for delinquency as county taxes.

MOTION: PASSED AND ADOPTED this 11th day of February 2020 by the following vote:

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

BY: _____
DAVID KAMPER, President
Board of Directors

ATTEST:

**MINUTES FOR THE JANUARY 28, 2020
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

PETER M. RIETKERK, Secretary

Item #7 – Consider Acceptance of the Bid from Murphy Industrial Coatings, Inc., for the Membrane Tank Lining Project for a Total of \$57,500

Mr. Erisman addressed the Board regarding the bid received from Murphy Industrial Coatings, Inc., and provided detailed explanation of the project to repair the epoxy coatings on the concrete basins in the ultrafiltration system.

MOTION: A motion was made by Director Holbrook and seconded by Director Holmes to accept the bid from Murphy Industrial Coatings, Inc., for the Membrane Tank Lining Project for a total cost of \$57,500.

The motion passed 5 to 0 by the following vote:

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

It was announced that all items in closed session would be discussed. The Board took a break at 11:20 a.m. and convened to closed session at 11:30 a.m.

Item #8 – Closed Session

8. a. Conference with Legal Counsel – Anticipated Litigation
 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of
 Government Code Section 54956.9
 - 2 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
 - 5 cases

*SAN JOAQUIN TRIBUTARIES AUTHORITY, et al., vs. CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
County of Tuolumne Superior Court
Case No. CV62094*

*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*

**MINUTES FOR THE JANUARY 28, 2020
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

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. 202844

Modrell and Larson vs. Oakdale Mutual Water Company et al
Superior Court for San Mateo County
Case No. 19-CV-07604

- d. Conference with Real Property Negotiator
California Government Code Section 54656.8
Property: Water
Negotiating Parties: Oakdale Irrigation District, United States Bureau of Reclamation,
Department of Water Resources, San Luis and Delta Mendota Water
Authority, South Delta Water Agency
District Negotiator: General Manager
Terms: Price and terms of payment of sale
- e. Labor Negotiations
California Government Code Section 54957.6
Agency Negotiator: General Manager
Employee Organization: IBEW Local 1245

The Board reconvened to open session at 12:40 p.m.

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 #9 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 12:43 p.m.

ATTEST:

Danielle Barney, Clerk of the Board