

Manteca, California
February 28, 2017

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

DIRECTORS: HOLBROOK HOLMES KAMPER KUIL ROOS
ABSENT: NONE

Public Comment

Mr. Lou Tallerico addressed the Board stating that he would like to have a policy in place for this water season regarding Tier I and Tier II rates and whether or not there would be a more flexible water delivery schedule to accommodate farmers who use drip or sprinkle systems as well as those who use flood irrigation.

CONSENT CALENDAR

- A. Approval of Warrants in the amount of \$193,251.68; A/P wires in the amount of \$186,280.07; payroll dated February 17, 2017 in the amount of \$179,875.14.
- B. Approval of the regular board meeting minutes of February 14, 2017.
- C. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Franklin Howard Villines, APN 249-200-02.
- D. Approval of Notice of Completion for Conco West pump installation project.
- E. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Boersma PG&E encroachment at Evans Estates.

Director Holbrook noted that item #E, on the staff memo, referred to Woodward Estates rather than Evans Estates and that needed to be fixed.

A motion was made by Director Roos and seconded by Director Holmes to approve the Consent Calendar with the changes noted above. The motion passed 5 to 0 by the following roll call vote:

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

ACTION CALENDAR

Director Kuil stated that General Manager, Peter Rietkerk, asked the Board to consider an item that had not been put on the agenda regarding emergency repairs to the joint supply canal.

A motion was made by Director Kamper and seconded by Director Holbrook to add an emergency item to the agenda as item #1A to authorize repairs to the joint supply canal because the need came to our attention after the agenda was prepared and action is necessary before the next meeting in order to start the water season. The motion passed 5 to 0 by the following vote:

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

Item #1A – Emergency Repairs to the Main Supply Canal

Mr. Rietkerk stated, due to recent rains, the banks of the joint supply canal were in need of emergency repairs. Engineering staff was concerned about District staff making repairs to protect their safety. In order to have the main canal up to speed by the start time of water season, we need to incorporate the help of a contractor to stabilize the hillside areas above portions of the canal banks.

A motion was made by Director Holmes and seconded by Director Holbrook to authorize the General Manager to enter into an agreement with a contractor to assess stability of and necessary action to stabilize the hillside areas above portions of the joint supply canal in an amount up to \$100,000 and to form an Ad Hoc committee composed of Director Holmes and Director Kamper and staff to review and approve the scope of work and contracting arrangement. The motion passed 5 to 0 by the following vote:

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

Item #1 – Consider resolution supporting the nomination of Melody Henriques-McDonald to the ACWA/JPIA Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority and to adopt Resolution #17-04-N documenting that action

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION #17-04-N
SUPPORTING THE NOMINATION OF
MELODY HENRIQUES-McDONALD
TO THE ACWA/JPIA EXECUTIVE COMMITTEE
OF THE CALIFORNIA WATER AGENCIES
JOINT POWER INSURANCE AUTHORITY**

WHEREAS, this District is a member district of the ACWA/JPIA that participates in all four of its Programs: Liability, Property, Worker’s Compensation, and Employee Benefits; and

WHEREAS, the San Bernardino Valley Water Conservation District has nominated Melody Henriques-McDonald to serve on the **Executive Committee** in accordance with the bylaws of the ACWA/JPIA;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the South San Joaquin Irrigation District supports the nomination of Melody Henriques-McDonald as a candidate for the **Executive Committee** for the election to be held on May 8, 2017;

BE IT FURTHER RESOLVED that the ACWA/JPIA staff is hereby requested, upon receipt of the formal concurrence of five other member districts to effect such nomination;

BE IT FURTHER RESOLVED that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at P. O. Box 619082, Roseville, California, 95661-9082, forthwith.

A motion was made by Director Roos and seconded by Director Holbrook to adopt Resolution #17-04-N supporting the nomination of Melody Henriques-McDonald to the ACWA/JPIA Executive Committee. The motion passed 5 to 0 by the following roll call vote:

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

Item #2 – Discussion of Assembly Bill 1661 effective January 1, 2017 that requires local agency officials to take sexual harassment prevention training and education courses

Mr. Steve Emrick, General Counsel, informed the Board as of January 1, 2017, a new government code provision requires the Directors of the District to receive sexual harassment prevention training every two years. He said The Board could have the option of individually taking a webinar or that a trainer could be brought in and give training to the entire group. Director Roos suggested that training may be available at the upcoming ACWA conference.

There was no action taken on this item.

Item #3 – Consider approval of Workers Compensation renewal rates

Mr. Don Thornburg, Human Resource Analyst, explained that in February of each year, Special District Risk Management Authority (SDRMA) sets the Workers Compensation rates. Due to the continuing improvement in revenues, the SDRMA Board has approved NO rate increase.

There was no action taken on this item.

Item #4 – Update regarding firms for Assistant General Counsel recruitment

Mr. Emrick gave a brief update stating that the committee of Director Holmes, Peter Rietkerk, Bere Lindley and he had interviewed one recruiting firm on Monday, February 27 and the interview went well. The fifth member, Don Geiger, was unable to attend the first meeting. There are two more interviews; one on Friday, March 3 and the final interview on Wednesday, March 8.

A motion was made by Director Holbrook and seconded by Director Kamper for the committee to select and engage a search firm and to bring a representative from the firm to the Board meeting of March 14, if possible, in order to start the search process. The motion was approved 5 to 0 by the following vote:

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

Item #5 – Consider sale of fee owned land at Delicato Property

Mr. Bologna explained to the Board that during review of a title report, it was discovered that the District owns portions of this property that were previously thought to be easements for the existing Lateral “Qk”. As such, it is necessary to revise the previous Board approval to reflect the transfer of fee property. The transfer would need to be in accordance with our standard policy for disposition of fee owned land. Director Holmes suggested the pipeline could be moved but questioned how it would affect the hydraulics. Director Holbrook is concerned that other customers who may be served by this water line are not affected. Director Roos asked if this project would be completed prior to water season. He also said it is best to wait until all of the plans have been reviewed prior to bringing the item before the Board for consideration.

In the meantime, it is recommended that the Board consider amending Exhibit “C” of the draft Developer’s Agreement as follows:

District owns a fee interest for the Lateral Qk and Qn as evidenced by the Indenture dated February 26, 1918 and recorded on February 27, 1918, in Book "A" of Deeds, Vol. 246, Page 47, San Joaquin County Records. District agrees to quitclaim to Owner its existing fee interest in the existing portion of Lateral Qk to be relocated and replaced by Owner in accordance with this Agreement and District’s remaining fee and easement interests in the Lateral Qk and Qn as shown on the map attached as Exhibit __, subject to the following conditions:

A. Owner has completed installation of the new Lateral Qk pipeline facilities within the Subject Property. The new Lateral Qk facilities are complete when Owner has installed all of the new Lateral Qk facilities in accordance with this Agreement and with Owner’s improvement plans; as such plans are approved by District, and when District has accepted the completed facilities.

B. Owner has granted District an easement for the District’s relocated pipeline facilities as shown on Exhibit __, and for all other existing pipeline facilities that will remain in place as shown on Exhibit __, in form and content acceptable to District.

C. District’s Board of Directors has approved a resolution declaring surplus the property interests to be quitclaimed and Owner has paid District the purchase price established by the District’s Board of Directors as fair market value for the District’s fee interests to be quitclaimed.

D. Owner has obtained an encroachment permit from District for all of Owner's improvements that Owner intends to install within the relocated portion of the Lateral Qk and for all of Owner's other improvements that encroach upon the remaining portion of District's fee interest in the Laterals Qk and Qn and removed any encroachments within such areas that are not subject to an approved encroachment permit.

When District has accepted the completed portion of the new Lateral Qk pipeline facilities and District has quitclaimed its fee interest in the portion of the existing Lateral Qk to be relocated, District is deemed to have abandoned in place the existing Lateral Qk pipeline facilities to be relocated and Owner is responsible for the abandoned portion of Lateral Qk, including its removal.

A motion was made by Director Holbrook and seconded by Director Holmes to amend the developers agreement, exhibit C, as outlined above and to authorize a conceptual approval, allowing staff to work out the terms in the agreement and to ensure that others who are on that line are not lessened; he wants the agreement to be legal, correct, and to correct the information on the title report; Director Holmes asked that this item come back to the Board prior to water season. The motion passed 5 to 0 by the following vote:

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

Item #6 – Discussion of Groundwater Sustainability Agency (GSA) status update including modification to GSA boundary map, draft MOA with the City of Ripon, and possible action authorizing the General Manager to set a public hearing and advertising for GSA election

Mr. Rietkerk provided an update on the GSA formation. He said that Valerie Kincaid provided a draft MOA and it is currently being considered at the City of Ripon. Once the MOA is agreed upon, staff will set a date for the GSA election and advertising that SSJID seeks to become a joint GSA with the City of Ripon. The San Joaquin County JPA agreement is complete and will be brought to the Board for consideration at the March 21 Board meeting.

A motion was made by Director Holbrook and seconded by Director Holmes to authorize the General Manager to move forward with this item; to develop a Resolution and to set notice for a public hearing and advertising for the March 21 Board meeting.

The motion passed 5 to 0 by the following vote:

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

Item #7 – Discussion and/or action related to the 2017 Irrigation Season, including start of irrigation schedule, allocations, and Tier II lands availability

Mr. Rietkerk said he would like discussion regarding the start date for the 2017 irrigation season, allocations, and Tier II lands availability. He said it is best to formalize the annual establishment of allocation limit, if any, and to decide if there will be limitations on deliveries to Tier II lands.

A motion was made by Director Holmes and seconded by Director Kamper to set a target date to start water season on or about March 22; and to bring this item back to the March 14 meeting with a Resolution to establish no Tier II restrictions. The motion passed 5 to 0 by the following vote:

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

Item #8 – Financial Statements for January 2017

This item was for information only and no action was taken.

Item #9 – Investment Reports for January 2017

Mr. Lindley reviewed a history of SSJID reserves and stated that it is reassuring to see how financially stable the District was during the drought. He said it is good to have large reserves and that goals need to be developed to define strategic purposes for the reserves. .

Item #10 – Communications

Director Roos reported that he attended the San Joaquin Farm Bureau Calla Nile dinner on Wednesday, February 22 and that Mr. Rietkerk gave a lengthy update on water conditions.

Director Holmes noted that the Escalon Farm Bureau dinner would be held on Thursday, March 2, and that Mr. Rietkerk is scheduled to speak. He stated that he and staff would be interviewing a recruiting firm on Friday, March 3 and also on Wednesday, March 8.

Director Kuil also attended the San Joaquin Farm Bureau Calla Nile dinner and that Mr. Tim Pelican spoke on behalf of the San Joaquin Agricultural Commission.

Director Holbrook attended the Advisory Water Commission meeting on February 15 and they had election of officers. The Commission also discussed submitting to the Board of Supervisors the pilot Dream Project where East Bay MUD will pay the cost of \$4 million to bring 1000 acre-feet of water to farmers to use in order the reduce the amount of groundwater being extracted. A total of 500 acre-feet of groundwater could be pumped out for export back to EBMUD.

Justin Ashworth, Water Treatment Plant Operations & Maintenance Supervisor

- Training for staff on the Hach WIMS software program has begun. This program will make water quality information electronically searchable.
- Hauling of approximately 100,000 gallons of recovery cleanse waters to the City of Tracy.

- Painters began preparing to sandblast and paint the interior of treated water reservoir #2 on March 6. The project is expected to take up to 60 days to complete.

Sam Bologna, Engineering Department Manager

- GBA/SGMA/GSA effort: He has been working with consultants and San Joaquin County to put the final changes on the revised GSA boundary map.
- Main and Joint Supply Canal: The District signed a contract with RFC to help with Main Supply Canal failures. He and Mr. Rietkerk met with Condor Technologies and asked that they assess the recent conditions on the Joint Canal to determine an appropriate method for dealing with the recent rockslides and to update the previous hazard study that they had prepared approximately 10 years ago. Staff plans to go to the site on Thursday along with a contractor to determine the necessary scope of work.
- Structure permits, encroachments, and development projects: Staff has been working on wrapping up a number of projects that need to be done prior to the start of water season and also working on finalizing plan approvals for a number of development projects.

Peter Rietkerk, General Manager

Water Supply Update

- He reviewed the New Melones storage and said it is at 63% of capacity. The reservoir has gained approximately 1,320,000 acre-feet since October 1, 2016 and 892,739 acre-feet (37 percent of total storage capacity, 123 feet in elevation gain) since January 1. On Tuesday, February 21, New Melones exceeded historical average storage to-date.

Meetings and Events

- Assistant Water Superintendent Interviews, SSJID, 2/24/2017
- Voluntary Agreement Negotiations, Sacramento, 2/23/2017
- Labor Negotiations, 2/22/2017
- Calla-Nile Farm Center Dinner, 2/22/2017
- SJFB Water Advisory Committee meeting, 2/28/2017
- Strategic Planning Session, starting this afternoon at 1:00 p.m. 2/28-3/1
- Escalon Farm Center Dinner, 3/2/17, Escalon Sportsmen's Club

General Counsel announced that all of the items in Closed Session will be discussed.

Item #11 – Closed Session

11. a. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
- 4 cases
- b. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9
- Phase 1 hearings on San Joaquin River/Delta Water Quality Control Plan Before State Water Resources Control Board

- 1 case

c. Conference with Legal Counsel – Existing Litigation

Paragraph (1) of subdivision (d) of Government Code Section 54956.9

- 3 cases

Pacific Gas & Electric Company vs. San Joaquin LAFCO
Superior Court for San Joaquin County
Case No. 39-2015-00321743-CU-JR-STK

SSJID vs. Pacific Gas & Electric Company, A California Corp., et al.
Superior Court for San Joaquin County
Case No. STK-CV-UED-2016-0006638

I.B.E.W. Local 1245 and Thomas Johnson vs. SSJID
San Joaquin County Superior Court
Case No. 39-2015-00330468

d. Public Employment

Title: Assistant General Counsel

e. Conference with Real Property Negotiators pursuant to
California Government Code Section 54956.8

Property: Water

Agency Negotiator: General Manager

Negotiating Parties: SSJID, United States Bureau of Reclamation

Under Negotiation: Price and terms of payment of sale

f. Conference with Real Property Negotiators pursuant to
California Government Code Section 54956.8

Property: Water

Agency Negotiator: General Manager

Negotiating Parties: SSJID and SEWD

Under Negotiations: Price and terms of payment of sale

At 12:00 p.m., returning from Closed Session, it was announced that no reportable action was taken in Closed Session.

Item #12 – ADJOURNMENT

There being no further business to come before the board, a motion was made by Director Holbrook and seconded by Director Kamper to adjourn the meeting at 1:00 p.m.

The motion passed by the following vote:

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

ATTEST: _____
Betty Garcia, Clerk of the Board