

**MINUTES FOR THE AUGUST 13, 2019
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. President Kamper called the meeting to order and led the flag salute. Upon roll-call the following members were noted present:

DIRECTORS: HOLBROOK HOLMES KAMPER 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 \$233,688.32; Accounts Payable Wires in the amount of \$577,208.19; and payroll dated July 31, 2019 and August 2, 2019 in the amount of \$268,551.67.
- B. Approval of the regular Board Meeting Minutes of July 23, 2019.

Director Roos noted an amendment to be made to page 5 of the regular Board Meeting Minutes of July 23, 2019. The following revision shall occur to the Engineering Department Manager’s Report, “Division 9 – Pressurized Irrigation System:”

- Director Roos was in attendance for the presentation portion of the tour of the Division 9 Pressurized Project on July 11. Director Roos did not participate in the field tour of the system.
- C. Consider Request for Joint Trench Utility Encroachments Within the Shadowbrook Development
 - D. Approval of Agreements with Escalon and Ripon Fire Departments for Use of Van Groningen Reservoir for Training Activities

Director Roos inquired if the agreements in question are a standard license with fire departments. Ms. Mia Brown, SSJID General Counsel, responded that the license agreements with the City of Escalon and City of Ripon Fire Departments are for the fire districts to conduct training and exercises on and along Van Groningen Reservoir, and to release SSJID from liability.

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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COMMUNICATIONS

Director Holbrook reported that he attended the Hydrovision Conference in Portland, Oregon on July 21 to July 26, 2019. Activities and events attended at the conference included:

- Field Technical Tour of the Bonneville Lock and Dam, and The Dalles Hydroelectric Facilities, July 22, 2019 – An all-day tour of two hydroelectric facilities. The Dalles is one of the largest 10 hydropower facilities in the U.S., containing 22 turbine-generator units; has generated more than 9.2 billion kWh of electricity since construction in 1957; and, has passed up to 10 million tons of river cargo annually. The Bonneville facility is the last dam on the Columbia River before it enters the Pacific Ocean; contains 11 turbine-generator units; and, features fish ladders that provide an elevation gain of 60 feet to transport returning adult Chinook salmon, Coho salmon, Sockeye salmon, Steelhead trout, American shad, and lamprey to their spawning grounds.
- “Fish-friendly Fiascos in Dam Safety” – Focus was planning ahead for fish passage while keeping dam safety a priority.
- “Lessons Learned...Not” – Focus was to not overlook small problems as they can turn into large problems – even dam failures. A historic example was provided of a dam with a face leakage. Over time, that small leak created a sinkhole, causing the dam to fail, which led to flooding and fatalities. Director Holbrook commented that minor routine maintenance is important.
- “New Ways to Look at Pumped Storage”
- Keynote Speakers:
 - Janet Herrin, Chief Operating Officer, Bonneville Power Administration
 - David Murray, Chief Operating Officer & President of Production, Hydro-Quebec

Mr. Holbrook attended multiple exhibits and expressed enthusiasm of the new and innovative products and ideas at the conference.

Director Weststeyn reported that he attended the Condor Joint Supply Tour on July 29. He commented that the walk-thru of the tunnels, and the rock formations were very interesting.

Director Roos reported that he attended the Hydrovision Conference in Portland, Oregon on July 21 to July 26, 2019. He found the conference informative of the latest technology and infrastructure for hydropower and water issues.

Director Roos reported that he attended the San Joaquin Tributaries Authority meeting on August 12, 2019 at Turlock Irrigation District. Discussion topic included ongoing legal issues regarding water rights.

Director Holmes reminded all that it is harvest season for crops. Special attention should be given to drains and irrigation valves, and steps taken to prevent flooding.

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Charles Galea, Water Treatment Plant (WTP) Chief Plant Operator:

- Quarterly recovery cleans are underway. The cleans are halfway completed as of the date of this Board meeting. Membrane permeability has recovered but is quickly decreasing due to increased fouling rates.
- Mr. Galea met with the City of Manteca to conduct a walk-through of the emergency bypass operation of M2/M3 pump stations, in the event of a prolonged power outage. The tests were completed without incident.
- On August 6, SSJID WTP staff met with Lathrop-Manteca Fire District (LMFD) to go over the annual Ammonia Release Drill, which will be conducted on August 30. LMFD will have approximately 20 firefighters at the training, including their entire Haz Mat team. The drill will simulate a rescue incident, and isolation of a hazardous leak. Mr. Galea invited the Board to attend.
- The WTP will be replacing Membrane Train 5 with new modules on November 6. WTP staff have been working with Suez to coordinate parts and equipment needed to complete the installation.
- National Pollutant Discharge Elimination System (NPDES) Permit Update: The application for a new discharge permit for the Citric Acid waste was submitted. Initial review has been completed. A conference call is scheduled for Friday August 16, with the California State Water Resources Control Board, to discuss details of the discharge application.

Bere Lindley, Assistant General Manager:

- Mr. Lindley reported on recent activity regarding employee safety including: an update of the District Security protocol; security protocol was heightened on August 12 by Peter Rietkerk, SSJID General Manager; and, an armed guard has been hired and patrols the premises. Mr. Lindley encouraged all to become familiar with the new security protocol.
- Troylene Sayler, SSJID Public Relations Director, will be out of the office on extended leave until late September. Staff is prepared to move forward with pending public relations projects (i.e. community newsletter, employee newsletter, remodel of website). One aspect of the community newsletter will be to keep customers updated on the status of SSJID's retail electric project.
- Mr. Lindley and Mr. Rietkerk met with representatives from Marcia Hermann Design (MHD), on August 2, to review their proposal for SSJID's electric utility public relations program. Outlines were provided to MHD to create a series of short stories or articles to post to the District website or include in the community newsletter.
- Sarah Bloom, SSJID Management Accountant, has taken the lead in planning SSJID's 2020 budget process. The first budget planning meeting was held with Mr. Lindley, Ms. Bloom, Mr. Forrest Killingsworth, SSJID Engineering Department Manager, and Ms. Robin Giuntoli, SSJID Accounting and Customer Service Manager. Ms. Bloom has proposed a new process to input budget data into Springbrook using Smartsheet.
- Ms. Bloom is coordinating an internal Smartsheet training, which will be held on September 5. Mr. Lindley invited the Directors to participate.
- Ms. Bloom is working on the SSJID intranet, which will include a budget center containing budgeting "tools." Completion is anticipated in early September.
- Mr. Michael O'Leary, SSJID IT Systems Administrator, has installed a new security camera on the front of the District Administration building. The new camera provides improved visibility.
- An offer is being prepared to present to Pacific Gas & Electric (PG&E) regarding the bankruptcy litigation. SSJID's legal team includes Mr. Douglas Brown, Bond Counsel; Paul Glassman,

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Bankruptcy Attorney, both of Stradling Yocca Carlson & Rauth, and Peggy O’Laughlin of Matteoni, O’Laughlin, & Hechtman.

- Mr. Lindley has been working on the SSJID financial projection model, which will be discussed during agenda item #3 of today’s meeting.

Frank Avila, Irrigation Operations Manager:

Water Department

- The elevation at Woodward is at 207.10, with an inflow of 650 cfs.
- A Magnacide application was performed on August 7, without incident. The canal looks good. We are hoping that this application takes us to the end of the end of the season.
- The first phase of preparedness, for MDC management, is in place in the event of PG&E power outages. Should a power outage occur, SSJID will be able to operate the system and have additional control of the flows on the MDC.

Maintenance Department

- Maintenance is assisting the Water Department by repairing leaks in pipes and vents as they are reported.
- Maintenance is grading the MSC, between Schell and Sonora Roads. Additional work includes the installation of V-ditches, in addition to the installation of four (4) drain pipes at the base of the hills which will help eliminate erosion and washouts on the road and the canal bank.
- Work is continuing to uncover the culvert drains on the MSC to ensure proper flows.
- Repairs of the washouts on the valley drain banks are completed.
- The MJC grading project is complete with positive results.

Shop Department

- The shop crews are busy with fleet and fabrication tasks.
- Mr. James Ferguson, SSJID Shop Supervisor, and Mr. John Briggs, SSJID Field Maintenance Supervisor, are working on the last phase of preparations to install the locker room.
- The Welder’s Helper position was awarded to Mr. Tom Lindsey.
- The tanks for the oil system in the shop are in place and ready for use by the end of the week.

MDC/Telemetry Department

- Electrical issues occurred with the fuse box at Well #100. SSJID crews had the well back in service within a couple days.
- The battery backup for the SSJID Control Room has been ordered. This project should be completed in the next couple weeks.
- The installation of the power transfer switch at Woodward Reservoir Tower, Drop #1, and Drop #8 have been completed. The remaining transfer switches, for Drop #2 through Drop #6, have arrived and will be installed as time permits.

Forrest Killingsworth, Engineering Department Manager:

Canyon Tunnel

- Core samples from drilling have been collected and will be prepared for viewing on August 16. Approximately 2000 feet of core, contained in 150 core boxes, will need to be reviewed.
- During the review, specific samples will be selected for lab analysis and testing.
- Information collected from this evaluation will be used to begin the preliminary design process.

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- The next check-in point is scheduled for September 30 at which time District staff and the Condor team will review the preliminary design, and further discuss the project.

Beardsley Afterbay Project

- Bids were obtained from contractors on July 19.
- The low bidder was Sierra Mountain Construction Inc. producing a bid of \$1,434,500.
- The award of contract is on the agenda for consideration by the Tri-Dam Board at the regularly scheduled board meeting on August 15.

Project Eagle Eye (Drone project)

- Mr. Chad Parsons, SSJID Associate Civil Engineer, has officially passed his Federal Aviation Administration Part 107 Knowledge Test, which qualifies him as a small unmanned aircraft pilot. This qualification is required to operate a drone for commercial purposes.
- The engineering department has acquired a DGI Phantom 4 drone. The unit cost \$1,500, which included an extra battery, carry case, and backpack.

Engineering Technician / Construction Inspector

- In preparation for the mid-January retirement of Mr. Jerry Donahue, SSJID Facility Inspector, the Engineering Technician/Construction Inspector position has been internally advertised to District Staff. The intent is to fill the position by September to provide for adequate cross training, and to handle the extra workload typically experienced during the winter construction season.

Water Master Plan

- Current work in progress has been centered on water supply, future land use, water demand, and development of the water balance tool that will be used to evaluate alternatives.
- An all-day infrastructure workshop has been scheduled for August 22. The focus will be to identify and discuss the range of potential capital improvement and modernization alternatives.

Brandon Nakagawa, Water Resources Coordinator:

Sustainable Groundwater Management Act (SGMA)

- The draft Groundwater Sustainability Plan (GSP) 45-day Public Review Period ends August 25. The draft GSP is posted on the Eastern San Joaquin Groundwater Sustainability Agency (ESJGWA) website at www.esjgroundwater.org. Mr. Nakagawa has completed his review of the 331 pages of the draft GSP, plus an additional 571 paged appendix. He has compiled 76 review comments.
- The next South San Joaquin Groundwater Sustainability Agency (SSJGSA) meeting is scheduled for August 21, at the option of the Board. If the meeting is held, staff will seek SSJGSA Board approval of the draft GSP review comments, and to forward them to the ESJGWA. A decision regarding possible cancellation of the August SSJGSA would be announced in the next few days.
- At the next SSJGSA meeting, staff will present an update on the conversion of the SSJGSA to a Joint Powers Authority (JPA), which will help isolate risks of having a 3-party Groundwater Sustainability Agency (GSA), by turning the SSJGSA into a separate legal entity.
- An ESJGWA Ad Hoc Committee meeting will be held on August 19 to further discuss the future of the ESJGWA.

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- The Woodbridge Irrigation District Board of Directors has decided to reinstate itself as a GSA and rejoin the ESJGWA. This will alleviate any confusion or risk of the State viewing the Eastern San Joaquin Basin as being wholly or partially out of compliance.

Peter Rietkerk, General Manager:

- Governor Gavin Newsom has signed Assembly Bill (AB) 756, requiring California water systems to notify residents if water sources contain potentially toxic levels of cancer-linked chemicals called polyfluoroalkyl substances (PFAs). Staff will research any impacts this may have on SSJID.
- Shasta County Superior Court has issued a preliminary injunction, against Westlands Water District, to cease plans on the project to raise the height of Shasta Dam. A judge has ruled that Westland's work violated a state law that prohibited local and state agencies from participating on any projects that would have an adverse impact on the McCloud River.
- Mr. Rietkerk has been working on SSJID's 2019 Strategic Plan Update. Nine (9) new projects were submitted, and will be vetted to determine if they meet the spirit of the Strategic Plan. The Strategic Planning Committee will meet weekly for the next 3 weeks. A revised SSJID Strategic Plan Projects List will be finalized and presented for Board approval in September.
- The Association of California Water Agencies (ACWA) Fall Conference will be held in San Diego on December 3 to December 6, 2019. Ms. Danielle Barney, SSJID Executive Assistant / Clerk of the Board will be in contact regarding interest in attending. Conference registration is open. Conference hotel rates will be available August 19 to November 8.

ACTION CALENDAR

Item #2 – Presentation from Condor Earth Regarding Recommendations for Joint Supply Canal Winter Maintenance in 2019/2020 and Consideration of Proposal for Pre-Bid Support Services

The Joint Supply Canal (JSC) maintenance has been an ongoing issue. Consideration must be given to the safety of employees working on the Canyon Tunnel Project for the next ten years, as well as the integrity and operation of the canal.

Mr. Scott Lewis, Condor Earth Project Manager, addressed the Board and provided data of a recent feasibility study, which identified the deterioration of rock slopes, cut slopes, loose rock, and rock fall hazards. Mr. Lewis anticipates 2-months of work is needed to secure the hillside of the JSC. If approved by the SSJID Board, District Staff is prepared to solicit quotes from contractors and present the proposed contract to the Board at the regular Board meeting on September 10. Mr. Killingsworth stated that the estimated cost could be over \$500,000 but only \$80,000 was budgeted towards this effort and that it is likely that budget amendment would be necessary at a following board meeting. Staff is recommending the Board approve the proposal from Condor Earth, Task 2 – “Pre-Bid Support Services.” Task 3 – “Construction Support and Inspection Services” and Task 4 – “5-Year Maintenance Plan” will be considered at a following board meeting.

MOTION: A motion was made by Director Holbrook and seconded by Director Roos to approve Task 2 – “Pre-Bid Support Services” of the proposal from Condor Earth.

The motion passed 5 to 0 by the following vote:

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

Item #3 – Discussion of the District Financial Projections and Future Effects of Various Wholesale Power Prices

Mr. Bere Lindley, SSJID Assistant General Manager, presented the Board with an overview of the District’s financial background and financial expectations of the next few years. Topics addressed included the following:

- Tri-Dam Project contract renewal in 2024.
- Cost of service for irrigation.
- Future capital expenditures.

SSJID’s irrigation water rates of \$24 per acre have remained about the same since 1993. Mr. Lindley displayed the rate history of SSJID, which depicted that rates had increased 440% from 1988 to 1993. Discussion amongst the Board concluded SSJID rates will need to be increased in the future, and that as responsible caretakers of the District, the board must take action to ensure income will mirror expenses. A rate increase would require justification provided to customers.

General Counsel announced that all items in closed session would be discussed. The Board took a break at 11:35 a.m. and convened to closed session at 11:45 a.m.

Item #5 – Closed Session

5. a. Conference with Legal Counsel – Anticipated Litigation
 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of 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
 - 4 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*

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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. 2028441

- d. Conference for Real Property Negotiations
California Government Code Section 54956.8
Property: 10 foot strip of land adjacent to APN 224-021-15 and Atherton Road, Manteca
Negotiating Parties: SSJID
District Negotiator: Engineering Department Manager
Terms: Price and terms of payment of sale

The Board reconvened to open session at 12:05 p.m.

Disclosure of reportable actions taken in Closed Session, pursuant to Government Code Section 54957.1:

**Item #5.c. Conference with Legal Counsel – Existing Litigation
Paragraph (1) of subdivision (d) of Government Code Section 54956.9**

MOTION: A motion was made by Director Holbrook and seconded by Director Holmes to approve a professional services agreement with Marcia Hermann Designs for communications services for South San Joaquin Irrigation District’s retail electric project litigation.

The motion passed 5 to 0 by the following vote:

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

**Item #5.d. Conference for Real Property Negotiations
California Government Code Section 54956.8
Property: 10 foot strip of land adjacent to APN 224021-15 and Atherton Road,
Manteca
Negotiating Parties: SSJID
District Negotiator: Engineering Department Manager
Terms: Price and Terms of Payment**

MOTION: A motion was made by Director Holbrook and seconded by Director Holmes to sell the strip of land to developer at \$1.83 per square foot, the same rate as previous purchase of like land by the City

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of Manteca for eventual dedication to the City; and, reserving a 10-foot strip of land in the form of an easement in favor of the District for Lateral YA.

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 Conditional Approval of the Valencia Apartments Development Project in Manteca (after Closed Session)

Mr. Killingsworth addressed the Board regarding the Valencia Apartments Development Project involving the District’s Lateral “Ya” pipeline. The project will involve the relocation of a control box at the proposed driveway entry for the development. Mr. Killingsworth explained that the improvements plans have been reviewed by Engineering Staff and appear to meet the District’s standard requirements. Mr. Killingsworth requested authorization and approval for the following items related to the project:

- Improvement Plans associated with the Valencia Apartments Development
- Final/Parcel Map
- Developers Agreement
- Encroachment Agreement
- Grant of Easement
- Quitclaim of District Easements
- Service Abandonment Agreements (as necessary)

MOTION: A motion was made by Director Holmes and seconded by Director Weststeyn to approve the replacement District facilities related to the Valencia Apartments Development Project; and, conditionally approve the following items, subject to the satisfaction of staff:

- Improvement Plans associated with the Valencia Apartments Development
- Final/Parcel Map
- Developers Agreement
- Encroachment Agreement
- Grant of Easement
- Quitclaim of District Easements (as necessary)
- Service Abandonment Agreements (as necessary)

The motion passed 5 to 0 by the following vote:

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

The Board reconvened to closed session at 12:10 p.m.

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- E. Public Employee Employment/Discipline/Dismissal/Release
California Government Code Section 54957

The Board reconvened to open session at 3:35 p.m.

Public announcement of action taken in closed-session: Upon appeal to the Board, the Board elected to uphold Management's decision in an employee disciplinary matter.

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper.

The motion passed 5 to 0 by the following vote:

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

Item #6 – ADJOURNMENT

MOTION: A motion was made by Director Holbrook and seconded by Director Holmes to adjourn the meeting at 3:40 p.m.

The motion passed 5 to 0 by the following vote:

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

ATTEST:

Danielle Barney, Clerk of the Board