

Manteca, California  
November 24, 2015

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

DIRECTORS: HOLBROOK HOLMES KAMPER KUIL ROOS  
ABSENT: NONE

Also present were General Manager Peter M. Rietkerk, General Counsel Steve Emrick, Engineering Department Manager Sam Bologna, and Executive Secretary Betty Garcia.

**Public Comment** - None

**CONSENT CALENDAR**

- A. Approval of Warrants in the amount of \$1,120,096.40; A/P wires in the amount of \$322,802.33; payroll dated November 13 in the amount of \$190,443.86.
- B. Approval of the regular board meeting minutes of November 10, 2015.
- C. Approval of consent to SSJID's entry of property to read and to maintain flow meter for Arlene McCracken, APN 226-080-12.
- D. Approval of consent to SSJID's entry of property to read and to maintain flow meter for William A. Betschart, APN 224-050-17.

Director Holbrook noted on page 10 of the minutes, "verify the quantity of direct" should be "verify the quantity of dirt". He also noted on page 13 of the minutes, that Mr. Robin Taberna was awarded a check in the amount of \$20,000 to be used for scholarships to the Boys and Girls Club. Director Holmes noted on item #C that the parcel numbers are different. Mr. Bologna is going to review and correct.

A motion was made by Director Kuil and seconded by Director Roos to accept the consent calendar with the changes listed above and passed 5 to 0 by the following roll call vote:

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

**ACTION CALENDAR**

**Item #1 – Public Hearing on and adoption of the Agricultural Water Management Plan**

Director Holmes opened the public hearing and asked for comments by staff. Mr. Sam Bologna, Engineering Manager, stated that Davids Engineering has completed the document entitled 2015 Agricultural Water Management Plan in accordance with the Department of Water Resources guidelines and in compliance with the SBx7-7 legislation. He said that document had been reviewed by staff and edited accordingly. He discussed the contents of the plan and reviewed the adoption process. Director Holbrook noted that the acronyms section of the document needs to be updated. Director Holmes noted there were other areas in the document that needed correcting.

There was no public comment and the public hearing was closed.

A motion was made by Director Holbrook and seconded by Director Kamper to make the necessary corrections to the document, as needed, and to authorize staff to prepare a resolution and the final plan to be adopted at the next board meeting. The motion passed 5 to 0 as follows:

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

**Item #2 – Consider approval to set a special meeting on December 15 and to cancel the two regular meetings which were originally scheduled for December 8 and 22.**

Mr. Steve Emrick, General Counsel, stated that action was required to change the date of the December board meeting.

A motion was made by Director Kamper and seconded by Director Kuil to cancel the regular board meetings scheduled for December 8 and 22, and change the date to December 15. The motion passed 5 to 0 as follows:

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

After further discussion regarding the possible need for General Counsel, Steve Emrick to attend a hearing and General Manager, Peter Rietkerk to attend a meeting of the Board of Supervisors, a motion was made by Director Holbrook and seconded by Director Holmes to reset the December board meeting to Wednesday, December 16 at 8:30 a.m. The motion passed 5 to 0 as follows:

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

**A motion was made by Director Kamper and seconded by Director Holbrook take up items #6 and #7 at this time. The motion passed 5 to 0 as follows:**

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

**Item #6 – Consider conditional approval of Sundance Estates Unit #1**

Mr. Sam Bologna, Engineering Manager, said the District facilities involved were the Lateral “Ya”, Drain 8, and Pump #12. He stated the lateral will be replaced in the current location and there needs to be landscaping plans to ensure that no trees are planted in that area. The District will have access to Lateral “Ya” and the well.

**Development Analysis**

**1. Location and nature of project:**

The Sundance Estates project is a planned residential development located north of Woodward Avenue between Airport Way and Union Road. The project subdivides approximately 108 acres into 133 residential lots and a park basin and a park storm basin. The property is being developed by FCB (Sundance Development, LLC).

**2. District facilities involved:**

Lateral “Ya”, Drain 8, and Pump #12

**3. Acreage serviced by District facility:**

There is a limited number of acres actively serviced downstream of this lateral (approximately 53 acres) but it is used as a spill line for the District and a drainage facility for the City.

**4. Improvements to be performed /facilities to be replaced:**

The plans call for the installation of 2,383+/- LF of 42” RGRCP (replacing existing 42” cast-in-place pipeline). The new pipeline will be located along Woodward Avenue in the same basic location as the existing Lateral “Ya”. The plans also call for the removal of existing Drain 8 and the installation of approximately 1,411+/- of 42” RGRCP. In lieu of relocated Pump #12, the developer plans to dedicate a portion of a lot and improve it with a sound wall and paving so that the pump can remain at its current location.

**5. Easements to be conveyed and abandoned:**

New easements will be conveyed for the replaced laterals. Easement widths shall conform to District standards for all new conveyances with a minimum 30 foot wide easement. All easements will be conveyed prior to all other dedications.

**6. Type of Encroachments:**

Encroachments will consist of typical development improvements including fencing, sidewalks, utilities, landscaping, and pavement.

**7. Irrigation services:**

All existing irrigation services will be removed with project and an Irrigation Service Abandonment Agreement will to be signed with project approval.

**8. Storm drainage:**

The plans call for the discharge of storm water into an existing basin which will be expanded with this project. Ultimately, the City will be responsible for approval of the Developer's storm drainage plan to make sure that it is in compliance with the District's requirements and agreement with the City. Permission for drainage is subject to receipt of a storm drainage acknowledgement letter that confirms that drainage satisfies the terms of our agreement with regard to water quality treatment and discharge limitations.

**9. Ground water issues:**

There have been no groundwater remediation issues identified for this project. As such, the developer is not being required to install any permanent dewatering facilities for this project.

**10. Status of Improvement Plans and Final Map:**

With the exception of some City acknowledgement regarding drainage discharge and some additional plan check modifications and clarifications that have not been made yet, the improvement plans that have been submitted are conditionally acceptable and will be in compliance with District standards once plans have been modified to our satisfaction.

**11. Property Interest Transfer request:**

Not applicable to this project.

**12. Developer's Agreement:**

The Developer's Agreement specifies the conditions and obligations that the owner is to comply with as it relates to those improvements shown on the approved plans, including bonding requirements. Exhibit "C" of the agreement spells out the special conditions and requirements that apply to the project as referenced above.

**13. Special conditions and requirements (Exhibit "C" of Developer's Agreement):**

- a) Owner/developer shall submit improvement plans and final maps for Sundance Estates Unit #1 development to the Engineering Department for approval and comply with all standard requirements concerning replacement of all facilities located within the development, as specified in the tentative map conditions adopted for the project.
- b) Owner/developer shall not build or develop within District easement until the replacement of the District's facilities has occurred in accordance with approved plans.
- c) Owner/developer shall convey new easements and enter into an Encroachment Agreement with the District for all proposed encroachments.

- d) Owner/developer shall notify District at least 48 hours prior to commencement of work. Work shall be complete and pipeline operational as specified by District. The deadline for work is typically February 15<sup>th</sup> of any given year.
- e) Owner/developer acknowledges that acceptance of storm water discharge for this project will be subject to the terms and conditions of the Storm Drainage Master Agreement between the District and the City and approval of plans shall be subject to receipt of an acknowledgement letter from the City that confirms compliance with those provisions.
- f) Owner/developer shall dedicate Lot “A” of the subdivision map to the District to serve as a pump site for the existing Pump #12 and shall improve the lot with fencing, gates and paving for ingress and egress as shown on the approved plans.

A motion was made by Director Kuil and seconded by Director Holbrook to authorize conditional approval and signature of the development project subject to compliance with those special conditions and requirements listed in item #13 above, that will be included in the developer’s agreement, and that the Board find this project ineligible for reimbursement. In addition, authorize staff to approve the items listed below subject to all additional plan modifications being made as required by the Engineering Department for Unit 1:

- 1) Improvement plans for replacement of Lateral “Ya”, Drain 8, and improvements related to Pump #12 pump site
- 2) Final map
- 3) Developer’s agreement
- 4) Encroachment agreement
- 5) Grant of easement
- 6) Irrigation Service Abandonment agreement
- 7) Quitclaim (will not occur until new facilities are installed and accepted)
- 8) Acceptance of dedication of Lot A of the subdivision map

The motion passed 5 to 0 as follows:

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

**Item #7 – Consider matter involving pump #40 and discharge line for Milner Terrace Unit #2**

Mr. Sam Bologna stated at the October 27, 2015 board meeting, the board conditionally approved the Milner Estates #2 development and well #40 relocation that was being proposed subject to the developer being able to obtain a permit from the County and the City for the new well. The County indicated they would issue a permit but would not allow the well to be drilled to the same standard as the existing well and would require the well be sealed for the first 50 feet. The City expressed concerns with the well being drilled in the development because it might compete with their well. The reason for bringing this item back to the board is to determine if the board still wants to pursue the well relocation option given the circumstances or

the board would consider additional monetary contribution in lieu of replacing 723 linear feet of 24 inch pipeline.

A motion was made by Director Holbrook and seconded by Director Kuil to accept the engineer's cost estimate of \$39,765 in lieu of replacing SSJID Lateral X170DD, to accept Lot A and to require the developer to improve Lot A with a sound wall and electric service unless District decides not to install a well on Lot A to replace pump #40. The motion passed 3 to 2 by the following vote:

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

**Item #3 – Consider approval of 2016 budget**

Mr. Bere Lindley, Assistant General Manager, explained the budget process which culminated in a workshop where the general manager sat down with all of the budgeters and reviewed their requested budgets line by line, asking for justifications and making budget cuts where appropriate. The workshop resulted in a debt service coverage ratio of 154% in comparison to the 125% minimum required by the District's bond indenture. He discussed revenues and expenses including operating revenues, non-operating revenues, operating expenses, and non-operating expenses, and financial sustainability. The Board of Directors thanked Mr. Lindley for a job well done and for the detailed report.

A motion was made by Director Holbrook and seconded by Director Roos to approve the 2016 budget as presented. The motion passed 5 to 0 as follows:

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

**Item #4 – October Financial Statements**

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

**Item #5 – October Investment Reports**

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

**Item #8 – COMMUNICATIONS**

Director Holbrook attended the Water Advisory meeting with San Joaquin County and noted that the county is planning to apply to become a GSA and inquired if SSJID would consider being a part of their GSA. Mr. Rietkerk stated if the county applies to become a GSA then the District's efforts are voided. Director Holbrook stated the City of Stockton is supporting the county's efforts to become a GSA because they do not want Stockton East Water District to become the GSA.

Director Kamper stated that the Division 9 project appeared in the Blue Diamond Growers report. He thanked Director Holbrook for his comments at the Senior Breakfast which was held on Saturday, November 21.

Director Holmes received a letter from a Sonora resident alleging Tri-Dam violations of the Brown Act. He said the Ad Hoc committee is meeting on Monday, November 30 at 1:30 p.m. regarding the Division 9 rates. Several growers have been invited to attend the meeting.

Justin Ashworth, WTP Supervisor of Operations & Maintenance

- Staff has received final bids for the corrosion engineering services contract for 2016-2018.
- Staff is seeking bids for the 2015 Urban Water Management Plan.
- Working to finalize the GE module replacement proposal.
- Approximately 250,000 gallons of citrus wastewater was hauled to the Tracy Wastewater Treatment plant.

Don Battles, Utility Systems Director

- The ground fault problem at the solar farm has been found; it was a frayed wire at the box.
- One of two tracker motors failed earlier this month; Conergy found a nut had stripped and supplies have been ordered to fix the problem.

Joe Catanzarite, Superintendent of Operations/Water

- He distributed pictures of work being done at the Main Supply Canal.
- Oakdale Irrigation District is still running water to Frankenheimer.
- Division 1 and 2 main canal pipelines have been plastered.
- Ron Strmiska reported the biggest maintenance project currently is shotcrete and staff has shot approximately 625 yards in the last 2 ½ weeks. He said a box has been built on the “Ha” line and a float valve project is underway on the “Vd” line. The crew will be doing work on both the joint and main supply canals.

Troylene Vallow, Communications

- The District presented its donation to the Second Harvest Food Bank on November 18; they are starting a program to teach people how to incorporate more fruits and vegetables into their cooking.
- Boys and Girls club raised more funds than last year and are hoping to reach their goal of \$100,000.
- She thanked the Board of Directors and their spouses for serving the citizens at the Senior Breakfast on November 21. There was a lot of interest in the retail electric project.
- One supporter of the retail electric project attended a CPUC hearing in Stockton and noted the entire audience is against rate increases. The District was represented at the hearing.
- Ripon Chamber Almond Blossom Festival is approaching and SSJID has been chosen to be the Grand Marshall in the parade on February 22, 2016

- Cathy Mason is retiring and the District will host a reception for her in the boardroom on December 16 at 2:30 p.m.
- We are looking for a location and date to hold the annual employee appreciation dinner; looking into a more casual and comfortable setting for the employees.

#### Sam Bologna, Engineering Department Manager

- He attended a meeting with the County and their consultant regarding Prop 1 funding that they plan to seek as part of their effort to become a GSA. A staff member from Stockton East Water District was also in attendance. We were both surprised to find out that the County is going to file to become a GSA that includes the District's area as well.
- During the east basin well project drilling, some strong odors were found to be coming from the shallow well during testing. Lab tests were ordered to rule out any harmful contaminants. The tests came back fine and are assumed to have been from some of the equipment that was being used in the testing.
- Materials have been obtained for the float devices and work will begin soon. The District was able to get a lower cost for some of the fabricated linkage (S&J) but will still use the Fresno valves. Also on the "Bd" line, we decided to use only the actuators from waterman and we will use another company to help with the communications (controller aspect of the project may be Allen Bradley).
- The test boring work on the MDC is complete and we should be receiving a report from Kleinfelder next week on recommendations for work to be done on the MDC to deal with seepage issue.
- The City of Manteca submitted a draft of the storm drainage agreement to be reviewed by staff as a follow up to the conditional approval that was given to them a year ago. The draft was reviewed by Steve and it appears to cover most of the issues that were raised at that time. The draft will be reviewed with Steve and Peter and an edited draft sent back to the City for final acceptance.

#### Peter Rietkerk, General Manager

- He reviewed the water supply conditions and said the San Joaquin River 5 Station Index is approximately at 6.3 inches to date. The average for the month of November is 4.7 inches; currently at 4.4 inches or 94 percent of average for the month. The Sacramento River 8 Station index is currently at 4.3 inches or 56 percent of average. He reviewed the statewide summary of snow water content and noted the statewide average is 7% and the normal for this date is 58%.
- SSJID submitted its election package to become the Groundwater Sustainability Agency for the local area and it was posted to DWR's website on November 19, 2015. At the SJC Water Advisory Commission meeting on November 18, the County asked the commission to give their blessing for the County to elect over the existing GSA applications to become the GSA for the entire county. They plan to take action on December 15 with the intention of filing before the 90-day clock on Stockton East's current election. This action, if taken, will void SSJID's application and GSA formation effort.
- A workshop was held with the Cities on November 23 to discuss interest, concerns, and governance surrounding SSJID's election to become GSA for the local area. The

meeting was positive, with city staff supportive of SSJID's election and very concerned about the recent county actions. Governance is still the greatest concern expressed by the cities and the representation and voting as it pertains to plan development and any potential future regulation. Next steps will be for SSJID to develop draft framework of governance (advisory committee structure, JPA, or otherwise) and present to the group for further discussion. Director Holbrook suggested that each city have access to the SSJID board members elected in their area to discuss the GSA formation.

- He attended the quarterly Calla Nile Farm Center meeting for the San Joaquin Farm Bureau on November 23. Topics of discussion with SSJID included SGMA, Bay Delta Water Quality Control Plan (Unimpaired Flow), and fall pulse flow releases.

Structure Permits approved:

- Michael Gaines, APN 226-090-10 and 226-090-10, Lateral "Wc"
- Rod & Arlene McCracken, APN 226-080-11 and 226-080-12, Lateral "Wc"
- William A. Betschart, APN 224-050-17, Lateral "X"

Encroachment Agreements approved:

- Gaines & Sons, APN 226-090-10, Lateral "Wc"
- Everado & Maria Barron, APN 249-150-74, Lateral "F"
- Rod & Arlene McCracken, APN 226-080-11, Lateral "Wc"

At this time, General Counsel announced that items 9 a & b would be discussed in closed session.

#### **Item #9 – Closed Session**

- a. Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9
  - 1 case
- b. Conference with Legal Counsel – Existing Litigation  
Paragraph (1) of subdivision (d) of Government Code Section 54956.9
  - 2 cases

Case Name: International Brotherhood of Electrical Workers  
Local Union 1245 vs.  
South San Joaquin Irrigation District  
Superior Court for San Joaquin County  
Case No. 39-2015-00330468-CU-WM-STK

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

Upon their return from Closed Session, it was reported there was no reportable action.

**Item #10 – ADJOURNMENT**

There being no further business to come before the board, it was moved by Director Holbrook and seconded by Director Kamper to adjourn the meeting at 1:20 p.m. The motion passed 5 to 0 as follows:

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

ATTEST: \_\_\_\_\_  
Betty Garcia, Executive Secretary