

**MINUTES FOR THE AUGUST 13, 2024
REGULAR MEETING OF THE SSJID BOARD OF DIRECTORS**

The Board of Directors of the South San Joaquin Irrigation District (SSJID) met in person in regular session in the District Boardroom at 9:00 a.m., with public access provided via the online Zoom meeting platform. President Weststeyn called the meeting to order. Director Holbrook led the flag salute. Upon roll call the following members were noted present:

DIRECTORS: HOLBROOK KAMPER ROOS SPYKSMA WESTSTEYN
ABSENT: NONE

Also present were General Manager Peter 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 Checks in the amount of \$397,817.49; Accounts Payable Wires in the amount of \$3,235,331.36; and Payroll dated July 25, 2024 in the amount of \$2,835.23, July 26, 2024 in the amount of \$301,320.94, and July 26, 2024 in the amount of \$3,716.35.
- B. Approval of the Regular Board Meeting Minutes of July 23, 2024
- C. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 205-240-30
- D. Approval of Consent to SSJID’s Entry of Property to Read and to Maintain Flow Meter, APN 205-240-31

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

The motion passed 5 to 0 by the following vote:

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

COMMUNICATIONS

Item #1 – Directors’ Reports

Director Holbrook stated that he had no updates to reports.

Director Spyksma reported that he attended the San Joaquin Tributaries Authority (SJTA) Commission meeting on August 12. Topics included the Port of Stockton Aeration Facilities, which are two (2) facilities, located in Stockton’s Deep Water Ship Channel (DWSC), that inject dissolved oxygen into the San Joaquin River when dissolved oxygen concentrations are less than the Central Valley Water Board’s Basin Plan dissolved oxygen water quality objectives. SJTA discussion noted the \$100,000.00 annual operations cost, whether to continue the aeration program, and the cleanliness of the waterway in the area being aerated.

Director Kamper shared that he recently attended his 50th high school reunion which included Ripon Christian School’s Class of 1974 yearbooks as event decorations. The yearbook highlighted that SSJID had been honored

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by the Ripon Almond Blossom Festival that year.

Director Roos thanked the Division Managers and Maintenance Workers for their irrigation services.

Director Roos cautioned everyone that harvest season had begun and to stay safe on the road.

President Weststeyn reiterated to drive safely during harvest season, and to be mindful of dropped almonds on the road and other potentially hazardous conditions.

President Weststeyn expressed appreciation to the Division Managers and Maintenance Workers for their continued jobs well done during irrigation season.

Item #2 – Various Reports

Mr. Peter Rietkerk, SSJID General Manager, announced the upcoming California Special Districts Association (CSDA) Annual Conference, September 9-12, 2024, in Indian Wells. He stated that Director and staff attendance at the conference allows for incentive “credits” towards Special District Risk Management Authority (SDRMA) insurance for SSJID.

Mr. Rietkerk announced that Manteca’s City Manager Toni Lundgren will be attending the next SSJID board meeting, on August 27, to discuss the City of Manteca’s proposed ¾ cent sales tax measure on the November ballot. He added that her intent is to provide education and information about the measure to local groups in the community. The presentation will be placed on the Action Calendar as an informational item with no necessary action from the Board.

Mr. Rietkerk updated the Board on SSJID’s Organizational Review process, and Organizational Design Workshop #2 held on August 8. He detailed the twenty-four (24) employees selected district-wide to participate in the workshop, the facilitation efforts of Ms. Kristi Marsella from Next Gear Consulting, and the great dialogue and ideas produced from the meeting. Future steps include the selection, planning, and refinement of proposed ideas.

ACTION CALENDAR

Item #3 – Consider Approval of District Office Closure to the Public on Fridays

Ms. Sonya Williams, SSJID Finance and Administration Manager, addressed the Board regarding the proposed Friday closure of the District Office to the public and stated that current alternative work schedules are not feasible for the Finance Department as there must be staff present to assist the public. She added that by implementing a Friday closure, all employees, including those in the Finance Department, would benefit from an alternative work schedule without compromising service deliverability throughout the rest of the week.

Ms. Williams stated that the proposed closure would boost employee morale, provide staff an additional day each week for personal time and focused project work, bring increased energy and dedication back to their roles during the rest of the week, and demonstrate the District’s commitment to employee well-being and a more productive and engaged workforce.

Ms. Williams explained the methodology used to substantiate the Friday closure which included a comprehensive monitoring process of foot traffic and phone calls, and detailed the number of customers visiting the office, and phone calls to the office during the week, particularly Fridays. Staff would not answer the main phone line but could respond to direct calls or return messages at their discretion, and still be able to hold meetings and other

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necessary appointments.

Ms. Williams noted that other local agencies, including Oakdale Irrigation District (OID), and the cities of Ripon, Manteca and Escalon are also closed on Fridays. The City of Tracy is closed on alternating Fridays.

Staff recommended the closure of the District Office on Fridays to coincide with the end of water season and the first day of the pay period effective November 1, 2024. Staff would begin notifying customers in August to ensure all are adequately informed of the upcoming changes, and vendors would be notified that package deliveries would only be accepted Monday through Thursday.

Board discussion included clarification of the data collected regarding customer foot traffic and incoming phone calls; having a recorded message on the main phone line regarding instructions for water emergencies; keeping the doors open for a 30-day “grace period” following the November 1 effective date; the benefits to staffs’ workload with the Friday closures; and that the office closure provides less customer service for the same cost to the District.

MOTION: A motion was made by Director Spyksma and seconded by Director Roos to approve the Friday closure of the District Office to the public, effective November 1, 2024.

The motion passed 4 to 1 by the following vote:

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

Item #4 – Consider Approval of Contract Renewal with Shaw Yoder Antwih Schmeizer & Lange for Legislative Lobbying Services

Ms. Katie Patterson, SSJID Public and Government Relations Manager, addressed the Board regarding approval of the final one (1) year extension of Services Agreement for State Legislative Advocacy with Shaw Yoder Antwih Schmeizer & Lange, Inc. (SYASL).

Ms. Patterson provided history of Board approval, on August 27, 2019, of a consulting services agreement with SYASL, which afforded for an original term of two (2) years, with the option for three (3) one-year extensions. Board action approved the first one-year extension on September 22, 2022, and the second one-year extension on August 22, 2023. She explained that today’s Board approval would constitute the final one-year extension beginning October 1, 2024 through September 30, 2025.

Ms. Patterson highlighted SYASL’s vast client network and legislative and lobbying 2023-24 activities on behalf of the District, noting SYASL’s assistance to SSJID in monitoring legislation and providing education to legislative representatives regarding the District’s priorities over the past year including water/irrigation services and retail electric issues.

The proposed fee for SYASL services is \$5,000 a month for twelve (12) months, representing no change for fees for service.

Staff recommended Board approval of the final one-year extension to the Services Agreement for State Legislative Advocacy with SYASL for state legislative monitoring and advocacy.

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Board discussion included the timeliness of SYASL’s contract ending on September 30 conflicting with the end of legislative sessions, and a potential change in advocacy scope of work and subsequent fee increase.

MOTION: A motion was made by Director Roos and seconded by Director Spyksma to approve the final one-year extension to the Services Agreement for State Legislative Advocacy with Shaw Yoder Antwih Schmeizer & Lange, beginning October 1, 2024 through September 30, 2025.

The motion passed 5 to 0 by the following vote:

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

Item #5 – Consider Approval of Amendment to Service Abandonment Agreement for Glenn & Teresa VanRuler, APN 247-030-03

Mr. Anthony Podesto, SSJID GIS/Engineering Technician, addressed the Board regarding the Amendment to the Service Abandonment Agreement (SAA) for APN 247-030-03.

Mr. Podesto provided background of Glenn Van Ruler (Owner) entering into the SAA with the District in 1992 (#731), and Winters Land Company, LP’s (Grower/Applicant) request to amend the existing SAA so that the property can be eligible to receive District water. He stated that if the SAA is amended, the Owner intends to utilize an existing on-farm pressurized system located on an adjacent property (APN 247-020-14) which is owned by the Applicant. The existing drip system provides service to approximately 85-acres located adjacent to the subject property, and an approved structure permit was issued for the sump and drip system by the District in 2004.

Mr. Podesto explained that the Amendment to the SAA was first presented to the Board on July 9, 2024, whereby Board consensus concluded to table the agenda item pending a site inspection by staff to identify issues and finalize conditions of the requested Encroachment Agreement. A field meeting was held on July 22; included Mr. Podesto, the Applicant, Director Roos, SSJID Interim Irrigation Operations Manager Joe Hasten, and Operations staff; and settled issues regarding the Grower’s irrigation schedule, flow meter repairs, and the District’s access to the flow meter.

It was noted that the District’s Lateral Ka is currently overburdened with a service ratio of 1.02 as demand exceeds supply during the peak of irrigation season, but that the Q/Qc Regulation Reservoir Project will provide relief to the 2,725-acre distribution area. Although adding the subject property to the Lateral Ka will temporarily worsen service to existing District customers, future system improvements will eventually offset the burden.

SSJID Engineering Department Manager Forrest Killingsworth emphasized that amendment of the SAA will only, marginally, decrease water service to District customers, and that SSJID’s service to provide surface water to growers should be encouraged to groundwater users. He stated that the proposed additional water service will be a non-issue in the long run following the Q/Qc project.

Specific conditions for approval that staff recommended include flood irrigation, sprinkler or drip irrigation, and one year provision. All other standard language for SAA Amendments shall be included in the amended document. Per the District’s “Policy for Rescinding Irrigation Service Abandonment” for properties subject to irrigation service abandonment agreements dated before January 27, 2015, Owner will be required to pay two (2) times the current year’s water rates and shall be subject to the District’s standard rate structure thereafter.

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Board discussion included the 10-day run during the peak of irrigation season; the benefits of bringing customers back to District water service; clarification of the Grower’s proposed irrigation schedule; and that the existing encroachment of the sump box and irrigation system remain in place subject to the District’s standard encroachment policies.

The Board commended Mr. Podesto and staff for a job well done on the Owner/Grower negotiations to alleviate the irrigation rotation issue.

MOTION: A motion was made by Director Roos and seconded by Director Spyksma to approve the “Agreement to Amend Irrigation Service Abandonment Agreement” for Glenn Van Ruler, APN 247-030-03.

The motion passed 5 to 0 by the following vote:

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

Item #6 – Consider Adoption of Resolution 24-15-C Adopting the Canyon Tunnel Project Request for Qualifications Document

Mr. Killingsworth addressed the Board regarding adoption of Resolution 24-15-C to adopt the Canyon Tunnel Project (Project) Request for Qualifications (RFQ) document, to be utilized to pre-qualify contractors to submit construction bids for the future Canyon Tunnel Project. He introduced Provost & Pritchard Consulting Group’s (P&P) Principal Tunneling Consultant Scott Lewis, and P&P Senior Project Administrator Kim Tarantino, who participated via the online Zoom meeting platform.

Mr. Killingsworth explained that the District’s large-scale Canyon Tunnel Project will require an accomplished contractor with specialty experience, and which is appropriately qualified. He further explained that it is common to separate the evaluation of qualifications of prospective contractors apart from evaluation of pricing when soliciting bids for larger and more complex public works projects, such as this.

Mr. Killingsworth detailed the proposed pre-qualification process including the development and distribution of a RFQ document to a list of potential bidders; the submittal of a Statement of Pre-Qualification Questionnaire (SOPQ) by interested bidders; and the evaluation and scoring process of the SOPQs to establish a list of contractors who have met the criteria necessary to submit formal bids on the Project. He summarized the information requested in the RFQ, and the RFQ schedule concluding with the solicitation of construction bids on January 27, 2025.

It was noted that the RFQ and pre-qualification procedures therein must conform to the requirements set forth in the California Public Contract Code and these must be adopted by the Board through means of a resolution, namely the proposed SSJID Resolution 24-15-C.

Board discussion included the Engineer’s Opinion of Probable Construction Cost in the RFQ; a contractor’s requirements to obtain a Bid Bond; the required 10-years of experience listed in the RFQ; and contractor informal inquiries to date.

SSJID General Counsel Mia Brown commented that an Engineer’s Opinion of Probable Construction Cost was a customary component of public works contract solicitations.

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Mr. Lewis stated that engineering estimates attract qualified bidders, provide contractors with an estimated size of the project, and allow for transparency. He added that RFQ estimates are non-binding.

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper to adopt Resolution 24-15-C Adopting Canyon Tunnel Request for Qualifications Document and Contractor Prequalification Procedures.

**SOUTH SAN JOAQUIN IRRIGATION DISTRICT
RESOLUTION NO. 24-15-C**

**ADOPTING CANYON TUNNEL REQUEST FOR QUALIFICATIONS DOCUMENT
AND
CONTRACTOR PREQUALIFICATION PROCEDURES**

WHEREAS, the SOUTH SAN JOAQUIN IRRIGATION DISTRICT (“District”) is undertaking the construction of the “Canyon Tunnel Project,” a major water conveyance project consisting of approximately 12,100 liner feet of new tunnel, with intake and outlet facilities (“Project”); and

WHEREAS, the District finds that the specialized skills and experience required to construct the Project necessitates the District to pre-qualify contractors who may desire to bid on the Project; and

WHEREAS, California Public Contract Code section 20101 authorizes public agencies to adopt a contractor pre-qualification process and sets forth the criteria necessary for such process; and

WHEREAS, the District desires to adopt a pre-qualification process limited to the Project; and

WHEREAS, the pre-qualification process is set forth in its entirety in the “South San Joaquin Irrigation District Canyon Tunnel Request For Qualifications” attached hereto as Exhibit “A;” and

WHEREAS, such process set forth therein meets the pre-qualification process requirements of the California Public Contract Code.

NOW THEREFORE BE IT RESOLVED, by this Board of Directors that:

The District adopts the “South San Joaquin Irrigation District Canyon Tunnel Project Request For Qualifications.”

PASSED AND ADOPTED this 13th day of August, 2024 by the following vote:

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

Item #7 – Consider Award of Construction Contract to NuLife Power Services for PV1 Solar Farm Repowering

Mr. Bill Schwandt, SSJID Electric Utility Manager, addressed the Board and provided a financial update, and recap of the completed Robert O. Schulz Solar Farm (Solar Farm) PV2 Repowering Project. He provided a comparison of the power output, energy output, and annual savings before and after completion of the PV2 Project as well as projected paybacks resulting in a PV2 net present value of \$5,500,000.00.

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Mr. Schwandt stated the next step is the PV1 Pilot Project, and noted the scope of work and proposed timeline for an anticipated project completion by May 1, 2025. His justification to move forward on the PV1 Pilot Project included increased solar energy production and increased savings (\$1.1 million annually); potential inverter failure and production risk; that the District is already in possession of the new solar modules and inverters; that the PV2 Project contractor NuLife Power Services (NuLife) is still on site and available; and that winter construction can conclude by April 2025 providing SSJID with a saving of \$140,000.00 per summer month (\$70,000.00 more per month than current).

NuLife’s proposal is on a Time & Materials (T&M) basis for a not-to-exceed total of \$1.935 million for the entire PV1 Repowering Project. The PV1 Repowering Project will be included in the 2025 budget with some expenditures for construction occurring in 2024, which will require budget amendments of \$1,000,000.00 in 2024 and \$1,000,000.00 in 2025.

Staff recommended that the Board award NuLife with the construction contract for the PV1 Solar Farm Repowering Project.

Ms. Brown clarified that NuLife was selected through the Request for Proposals (RFP) competitive process in the original solicitation for the PV2 Repowering Project, and that it was the Board’s discretion to stay with the current contractor.

The Board inquired if the Cities of Escalon, Lathrop, Manteca and Tracy would reimburse SSJID for a percentage of the capital purchase, to which Mr. Rietkerk responded to the negative, adding that the District is the “power supplier” and purchases all assets per the South County Water Supply Project Agreement, as well as providing a 15-percent (15%) discount to the Cities.

Board discussion included the 15% discount to the Cities of Escalon, Lathrop, Manteca and Tracy; the high cost of the proposal and consideration of an RFP process and/or utilizing in-house labor; providing monthly cost breakdowns at board meetings; and Pacific Gas & Electric (PG&E) rates.

MOTION: A motion was made by Director Holbrook and seconded by Director Kamper to award NuLife Power Services with the construction contract for the Robert O. Schultz Solar Farm PV1 Repowering Project, for a not-to-exceed amount of \$1,935,000.00, to be billed on a T&M basis; and approve budget amendments in the amounts of \$1,000,000.00 in 2024 and \$1,000,000.00 in 2025.

The motion passed 4 to 1 by the following vote:

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

It was announced that all remaining items on the Closed Session agenda would be discussed. The Board took a brief recess at 10:30 a.m. and convened to Closed Session at 10:45 a.m.

Item #8 – CLOSED SESSION

Director Roos exited the meeting at 12:08 p.m.

RETURN TO OPEN SESSION

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The Board returned to Open Session at 2:19 p.m.

Item #9 – ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

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 #10 – ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:20 p.m.

ATTEST:

Danielle Barney, Clerk of the Board