

THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF STOCKTON EAST WATER DISTRICT WAS HELD AT THE DISTRICT OFFICE
6767 EAST MAIN STREET, STOCKTON, CA
ON TUESDAY, SEPTEMBER 5, 2017 AT 12:00 NOON

A. PLEDGE OF ALLEGIANCE AND ROLL CALL

President McGurk called the regular meeting to order at 12:23 p.m., and led the Pledge of Allegiance.

Present at roll call were Directors Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Moody, Assistant Manager Johnson, Finance Director Vega, District Engineer Lee, Administrative Services Manager Carido, Administrative Clerk Curtis, Legal Counsel Zolezzi and Consultant Barkett.

B. CONSENT CALENDAR (None)

C. PUBLIC COMMENT (None)

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Minutes 08/29/17 Regular Meeting

A motion was moved and seconded to approve the August 29, 2017 Regular Meeting Minutes, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: None

Absent: None

2. Warrants

- a. Fund 67 – Agricultural Fund
- b. Fund 68 – Municipal & Industrial Groundwater Fund
- c. Fund 70 – Administration Fund
- d. Fund 71 – Water Supply Fund
- e. Fund 91 – Vehicle Fund
- f. Fund 94 – Municipal & Industrial Fund
- g. Summary
- h. Short Names/Acronym List
- i. SEWD Vehicles & Heavy Equipment

Director Atkins inquired on the expense on page 17, line item 14 for Frank A. Olsen Co. for replacement valve for V-67 sludge lagoon #3 in the amount of \$2,931.14. Assistant Manager Johnson replied the SED basins sludge is pumped into the sludge lagoons through these valves, which have not been replaced in a number of years. Director Watkins inquired if staff installed the valve in-house. Assistant Manager Johnson replied yes. Director Watkins inquired on the size of the valve. Finance Director Vega replied it is a 12-inch cast iron valve.

Director Atkins inquired on the expenses on page 11, line items 17 & 18 for San Joaquin Valley Air Pollution Control District for Air Pollution Control Permit to Operate 10/01/17-03/31/18 and

04/01/18-09/30/18 in the amount of \$2,191.50 each. Manager Moody replied it is the cost for diesel for the generators. Whether used or not, it is the minimum annual amount.

A motion was moved and seconded to approve the August 29, 2017 Warrants, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins
Nays: None
Abstain: None
Absent: None

3. February 6, 2017 Claim for Damage or Injury (Mimms) – 9790 N. Alpine Road, Received by the District 08/11/17

Manager Moody provided the Board with correspondence for February 6, 2017 Claim for Damage or Injury (Mimms) – 9790 N. Alpine Road, Received by the District 08/11/17. Manager Moody reported at the August 29, 2017 Regular Board Meeting the Board decided to reject the claim. This letter is for Board consideration and approval.

A motion was moved and seconded to approve sending correspondence to (Mimms) for February 6, 2017 Claim for Damage or Injury, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins
Nays: None
Abstain: None
Absent: None

4. California Department of Fish & Wildlife Routine Maintenance Agreement – CEQA Consultant Contract & Scope of Work

Manager Moody provided the Board with information on California Environmental Quality Act (CEQA) Consultant Contract & Scope of Work for the California Department of Fish & Wildlife (CDFW) Routine Maintenance Agreement. Manager Moody reported in the past the District has filed Categorical Exemption, however, the CDFW has advised Categorical Exemption no longer applies.

Manager Moody reported the District was granted a 2-year extension and the first step would be hiring a CEQA Consultant for cultural resources for AB 52 tribal consultation and biological resources outlined in the Habitat Conservation Plan (HCP).

Director Watkins inquired if any work done for the HCP can be used for the Fish & Wildlife permit. Legal Counsel Zolezzi replied no, as the biological work being conducted by this consultant is not done instream and the HCP work was limited to instream only.

Manager Moody reported staff consulted with Legal Counsel Harrigfeld prior to looking at consultants to ensure we would be in line with the HCP.

A motion was moved and seconded to approve contract with Brewer Environmental in an amount not to exceed \$29,847, as presented.

Roll Call:

Ayes: Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nayes: None
Abstain: None
Absent: None

5. Central Valley Flood Protection Board – Mormon Slough Irrigation Dams Permits No. 5838, 7594, 8175 and Bellota Dam Permit No. 5597-A – Variance Request (to Delay Removal to 10/27/2017), 09/05/17

Manager Moody provided the Board with correspondence to the Central Valley Flood Protection Board (CVFPB) requesting a delay on the Mormon Slough dam removal schedule. District Engineer Lee reported the CVFPB requires the above referenced dams to be removed prior to October 10th. However, the current hot weather and extended growth season have caused a demand for an extended irrigation season. The District is requesting permission to delay the removal of the dams until October 27, 2017, weather permitting.

Director Watkins inquired if a delayed dam removal has been requested after October 27th before. Manager Moody replied not since he has been with the District. District Engineer Lee added this is one of the longer dam removal delays the requested by the District, so staff wanted Board approval before sending.

Director Atkins inquired what day the water will potentially be slowed down. District Engineer Lee replied staff is projecting slowing water down on Friday, October 13, 2017, which would allow staff to begin removing the dam at Bellota on Monday, October 16, 2017.

Director Atkins inquired if the slowdown will effect Mormon Slough or the Calaveras. District Engineer Lee replied both.

Manager Moody reported this information will be added to the semi-annual newsletter that will be brought to the Board for review.

Director Cortopassi reported irrigators may be harvesting through Mid-October and if it is dry, they may choose to irrigate. Manager Moody replied as the extension date draws nearer, staff can request an additional extension if necessary.

Assistant Manager Johnson recommended reversing the order of the last two sentences of the 3rd paragraph of the letter. The letter should read, “Storms sufficient to create an inflow of 20,000 acre-feet between today and October 27, 2017, are unlikely. In the event of such a storm(s), the District has the ability to remove this dam in a timely manner to assure no interference with any flood operations”.

There was consensus of the Board to move forward with sending correspondence to the Central Valley Flood Protection Board requesting approval to delay dam removal.

6. North Site Lot Merger – APN 101-050-02

Manager Moody provided the Board with information on the North Site Lot Merger. District Engineer Lee reported in the process of permitting for the District’s Solar Project, it was found that Parcel 101-050-02, eastern portion of the North Site, is divided into 14, 10-acre legal lots. For the Solar Project, lots 12, 13 and 14 need to be merged into a single lot.

District Engineer Lee reported the District has the option of merging just the three lots required for the Project or merging all 14 lots together. Legal Counsel Zolezzi recommended only merging the three necessary lots, as the District would still want to retain as many parcels as possible.

Director Watkins inquired if these 14 lots are the same that Richard Bozzano applied to separate. Legal Counsel Zolezzi replied yes.

Director Watkins inquired why the parcels need to be merged. District Engineer Lee replied that due to the conditions of the Project, the solar facilities must be on one parcel and the horizontal configuration requires three parcels. Director Watkins suggested doing a lot line adjustment.

Director Sanguinetti inquired if the District has a map of all the parcels. District Engineer Lee replied no, we do not have a legal recorded description.

Director Watkins suggested calling Dillon & Murphy Consulting Civil Engineers and advise the District would like to preserve as many parcels as possible and they can survey the land.

Director Atkins inquired if staff is positive the solar will be installed before moving forward with having the land surveyed. District Engineer Lee replied yes, staff spoke with PG&E last week and confirmed.

Consultant Barkett reported the District should try and preserve as many lots as possible, while not being over indulgent with information. Onyx will have a longer list of demands for the District to comply with if they think there is potential for people to reside on the remaining parcels.

Manager Moody reported staff will conduct more research and bring findings back to the Board.

E. COMMITTEE REPORTS

1. ACWA Groundwater Committee Meeting, 08/31/17

District Engineer Lee attended the August 31, 2017 ACWA Groundwater Committee Meeting. District Engineer Lee reported as of July 1, 2017, there are 293 Groundwater Sustainability Agencies (GSAs), which is ~99.9% coverage. There are 140 basins with GSAs as well and most of the overlapping issue has been resolved. The Department of Water Resources (DWR) will continue with Technical and Planning Assistance. District Engineer Lee reported the Water Available for Replenishment Report should be out by October. SB 623 is now a 2-year bill and ACWA is calling for participation for AB 1427 (Eggman). The State Water Resources Control Board spoke about what they have done with GSA regulations, which includes sending out ~190 letters to parcels not covered in the GSA. District Engineer Lee reported there was a water storage update provided and applications have been received for the water storage grant. Additionally, there are upcoming webinars regarding water storage. President McGurk inquired if the Water Available for Replenishment Report is contingent on AB 1427 (Eggman). District Engineer Lee replied no. Manager Moody added it is part of Sustainable Groundwater Management Act (SGMA). The next meeting is scheduled for November 28, 2017.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 09/05/17

Manager Moody provided a handout of the Water Supply Report for information only that included storage, release, and production data collected from various sources as of midnight last night.

There is 208,306 AF in storage at New Hogan Reservoir. Current releases are set at 186 cfs. There is 2,038,744 AF in storage at New Melones Reservoir. Current release at Goodwin Dam to Stanislaus River are set at 1,001 cfs and release to all water users are set at 2,207 cfs. The water treatment plant is currently processing 33 mgd. The City of Stockton is currently processing 24 mgd.

Director Cortopassi inquired if the projected remainder of water in New Hogan has changed. Manager Moody replied he recently spoke with Marcia Bond, United States Army Corps of Engineers and she indicated the Corps is willing to work with the District and asked that the District put together a proposal. Assistant Manager Johnson is working on this proposal. Historically, 15% is the maximum the Corps will provide to the District, however, staff is aiming for 20%. Manager Moody advised the proposal and all corresponding documents will be brought to the Board for consideration and approval prior to sending.

2. Information Items:

Manager Moody noted items: F2a-1, F2a-2, F2a-3, F2a-4, F2a-5, F2a-6, F2a-7 and F2a-8.

3. Report on General Manager Activities

Manager Moody advised he will be querying the Board at the next Regular Board Meeting to inquire who would like to attend the Greater Stockton Chamber of Commerce Industrial BBQ on Wednesday, September 13, 2017 to reserve tickets.

Manager Moody reported the Eastern Water Alliance Meeting is scheduled for Monday, September 11, 2017; however, staff has received no responses from outside entities as to whether or not they will be in attendance.

G. DIRECTOR REPORTS

H. COMMUNICATIONS

I. AGENDA PLANNING/UPCOMING EVENTS

1. San Joaquin County Agricultural Drought Task Force Meeting, 9:00 a.m., 09/06/17
2. Greater Stockton Chamber of Commerce Monthly Mixer – Never Boring Associates & Warden’s Office, 5:15 p.m., 09/07/17
3. ACWA Region 3 & 4 Joint Program – California’s Headwaters: A Look At How Watersheds Are Connected, 10:00 a.m., 09/08/17
4. Delta Coalition Committee Meeting, 8:30 a.m., 09/11/17

5. San Joaquin County & Delta Water Quality Coalition Meeting, 9:00 a.m., 09/11/17
[This meeting has been cancelled]
6. Eastern Water Alliance (EWA) Meeting, 12:00 Noon, 09/11/17

J. REPORT OF THE COUNSEL

1. Closed Session - Potential Litigation
Government Code 54956.9 (c) – one case

President McGurk adjourned the meeting to closed session at 1:03 p.m. to discuss closed session agenda items. The regular meeting reconvened at 1:14 p.m., with no reportable action.

J. ADJOURNMENT

President McGurk adjourned the meeting at 1:15 p.m.

Respectfully submitted,



Scot A. Moody
Secretary of the Board

tbc

