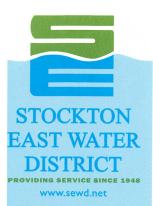


REGULAR BOARD MEETING

JULY 25, 2023



**DIRECTORS** 

Richard Atkins President Division I

Andrew Watkins
Division 2

Alvin Cortopassi Division 3

Melvin Panizza Division 4

Paul Sanguinetti Division 5 A.

В.

C.

D.

Loralee McGaughey
Division 6

Thomas McGurk Vice President Division 7

STAFF

Justin M. Hopkins General Manager

Juan M.Vega Assistant General Manager

LEGAL COUNSEL

Jeanne M. Zolezzi General Counsel

Phone 209-948-0333 Fax 209-948-0423

E-mail sewd@sewd.net

6767 East Main Street Stockton, CA 95215

Post Office Box 5157 Stockton, CA 95205

### MEETING NOTICE

## THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE STOCKTON EAST WATER DISTRICT WILL BE HELD AT 12:30 P.M., TUESDAY, JULY 25, 2023 AT THE DISTRICT OFFICE, 6767 EAST MAIN STREET STOCKTON, CALIFORNIA 95215

Assistance for the Disabled: If you are disabled in any way and need accommodation to participate in the meeting, please contact Administrative Staff at (209) 948-0333 at least 48-hours in advance for assistance so the necessary arrangements can be made.

FOR CONTINUED CONVENIENCE STOCKTON EAST WATER DISTRICT BOARD MEETINGS WILL BE AVAILABLE BY TELECONFERENCE.

Please call (669) 444-9171/Meeting ID: 876 5902 3782#/Passcode: 847846# to be connected to the Regular Board Meeting, to begin at 12:30 p.m. Agendas and minutes are located on our website at www.sewd.net.

### **AGENDA**

Page No

Ple	edge of Allegiance (Administrative Assistant Wood) & Roll Call	
Co	onsent Calendar (None)	
Pu	ablic Comment (Non-Agenda Items)	
	heduled Presentations and Agenda Items Minutes 07/18/23 Regular Meeting	1
2.	Warrants – California Public Employees' Retirement System	7
3.	Stockton East Water District - Podesta Reservoir – Agreement for Annual Water Use Memo a. Podesta Reservoir Annual Surface Water Use Agreement	9 11
4.	Association Of California Water Agencies Official Region 4 Board Ballot 2024-2025 Term	19
5.	<ul> <li>Resolution 23-24-06 – Adopting Appropriations Limit For Fiscal Year 2023-2024</li> <li>a. Stockton East Water District – 2023-2024 Appropriation Limit Calculations</li> <li>b. Office Of Gavin Newson - Department Of Finance – Price Factor And Population Information Letter</li> </ul>	<ul><li>21</li><li>23</li><li>25</li></ul>
6.	Stockton East Water District – Procurement of Materials and Equipment for Hosie Low Water Crossing Project and Proposed Budget Transfer	29

<b>E.</b>	Comn	nittee	Re	por	ts

1. Stockton East Water District – Recharge Ad-Hoc Committee Meeting, 07/20/23

### F. Report of the General Manager

1. Water Supply Report as of 07/18/23

33

- 2. Information Items
  - a. Material Included, but Bound Separately from Agenda Packet:
    - 1. Where The Biggest Legislative Issues Stand At The Break: 2023 CSDA Mid-Year Legislative Report, CSDA eNews, 07/17/23
- 3. Report on General Manager Activities
  - a. Stockton East Water District Activities Update

### **G.** Director Reports

1. Virtual Town Hall Will Feature Candidates for ACWA President, 07/19/23

### H. Communications

### I. Agenda Planning/Upcoming Events

- 1. San Joaquin Farm Bureau Federation Monthly Water Committee Meeting, 5:00 p.m., 07/25/23
- 2. Eastern San Joaquin Water Accounting Framing Workshop #2, 10:00 a.m., 07/26/23
- 3. Eastern San Joaquin Groundwater Authority Technical Advisory Committee Meeting, 1:15 p.m., 07/27/23

### J. Closed Session

- 1. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Potential exposure to litigation Government Code Section 54956.9 one case
- 2. CONFERENCE WITH LEGAL COUNSEL Personnel Government Code 54957

### K. Adjournment

### **Certification of Posting**

I hereby certify that on July 20, 2023 I posted a copy of the foregoing agenda in the outside display case at the District Office, 6767 East Main Street, Stockton, California, said time being at least 72 hours in advance of the meeting of the Board of Directors of the Stockton East Water District (Government Code Section 54954.2).

Executed at Stockton, California on July 20, 2023.

Morgiana Celestine, Administrative Service Manager Stockton East Water District

Any materials related to items on this agenda distributed to the Board of Directors of Stockton East Water District less than 72 hours before the public meeting are available for public inspection at the District's office located at the following address: 6767 East Main Street, Stockton, CA 95215. Upon request, these materials may be available in an alternative format to persons with disabilities.

Agenda Item: D-1 Date: 07/25/23

## 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, JULY 18, 2023 AT 12:30 P.M.

### A. PLEDGE OF ALLEGIANCE AND ROLL CALL

President Atkins called the regular meeting to order at 12:30 p.m., and Manager Hopkins led the Pledge of Allegiance.

Present at roll call at the District were Directors Atkins, Cortopassi, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Hopkins, Assistant Manager Vega, Administrative Services Manager Celestine, Finance Director Ram, District Engineer Evensen, Senior Water Treatment Plant Operator Brothers, Administrative Assistant Wood, Legal Counsel Zolezzi and Consultant Barkett. Director McGaughey was absent.

### **B. CONSENT CALENDAR** (None)

### C. PUBLIC COMMENT

### D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Minutes 07/11/23

A motion was moved and seconded to approve the July 11, 2023 Regular Board Meeting Minutes, as presented.

### Roll Call:

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

Nayes: None Abstain: None

Absent: McGaughey

### 2. Warrants

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

President Atkins inquired on the expense on page 10, line item 31 for Priya Ram for Tuition reimbursement Summer 2023. Manager Hopkins responded the District offers tuition reimbursement as part of the employee benefits package and this expense is for Finance Director Ram completing her Master's Degree in Accountancy.

A motion was moved and seconded to approve the July 18, 2023 Warrants, as presented. Roll Call:

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

Board Meeting -07/18/23 Draft

Nayes: None Abstain: None

Absent: McGaughey

3. Stockton East Water District – Podesta Reservoir Agreement for Annual Surface Water Use Memo

Manager Hopkins provided the Board with a memo regarding an Annual Surface Water Use Agreement with Fred Podesta (Landowner). Manager Hopkins reported on April 30, 2008, the District entered into an Annual Water Use Credit Agreement with Mr. and Mrs. Fred Podesta, Jr. The agreement provides the Landowner an annual surface water credit of 1,000 acre-feet for the Landowner's use of water right License #8252, which allows the Landowner to collect 1,400 acre-feet annually in storage and withdraw up to 1,320 acre-feet annually. The existing agreement was recently identified by District staff as having potentially terminated in 2018. After further interpretation, the agreement was determined to still be valid, but in need of updating. District staff coordinated with legal counsel and the Landowner to draft a new, formal agreement.

a. Fred Podesta Farms LP - Annual Surface Water Use Agreement Director McGurk inquired if the Podesta Reservoir holds more than 1,400 acre-feet of surface water. Manager Hopkins responded the reservoir may hold more. However, the water right does not authorize the landowner to store more than 1,400 acre-feet or withdraw more than 1,320 acre-feet of water.

Director Watkins noted a section in the agreement that refers to a meter being installed at the District's expense and inquired if the Landowner would be covering the cost of the annual meter fee. Manager Hopkins replied yes, however the agreement does not specify that expense. Director Panizza suggested adding an additional paragraph citing the meter fee will be at the landowner's expense.

There was a consensus of the Board to bring this item back for consideration.

4. Stockton East Water District – 2022 Elections Payment to San Joaquin County Registrar of Voters Memo

Manager Hopkins provided the Board with a memo regarding the 2022 election expenses. Manager Hopkins reported the Board previously requested District staff investigate the 2022 election invoice received by San Joaquin County Registrar of Voters. Finance Director Ram has been working with the San Joaquin County Registrar of Voters Office to get an itemized invoice as shown in the memorandum. Manager Hopkins reported a 23% increase from \$415,911 in 2018 to \$511,075 in 2022. This increase was due to the following factors: The total number of voters for the participating cities and Districts in San Joaquin County were 820K in 2022 and 1.042M in 2018. This decrease was compounded by the increase in voters within the District from 169,003 in 2018 to 180,036 in 2022. The decrease in the total voters and increase in District voters increased the District's share of the total cost. The cost of labor and fringe benefits increased from \$135,352 in 2018 to \$196,396 in 2022. This was a 45% increase. The cost of tech support increased from \$37,667 in 2018 to \$50,422 in 2022. This was a 33.86% increase. The cost of postage increased from \$14,072 in 2018 to \$29,939 in 2022. This was a 112.76% increase. Lastly, the cost of utility increased from \$51,864 in 2018 to \$62,448 in 2022. This was a 20.41% increase. The total cost incurred and allocated for the District's share of the 2022 election was \$838,037, of which the County is absorbing \$326,962 due to their initial mistake when sending out the ballots.

Director Cortopassi inquired how the San Joaquin Registrar of Voters Office allocates the expenses. Finance Director Ram clarified the costs are divided up by 1) the percentage of ballots items for the District versus the total number of ballot items and 2) the total number of voters in the District's boundaries versus the total number of voters.

Director Panizza inquired how the District could validate the total number of voters within the divisions. Finance Director Ram responded she could request the San Joaquin Registrar of Voters Office provide the voter data.

Director Sanguinetti inquired why the District is being invoiced for postage and labor. Finance Director Ram replied it is the District's portion of the total postage and labor costs to send out the ballots.

Director Watkins stated the voters bill is becoming exceptionally high and suggested reaching out to the Board of Supervisors to discuss these charges and what can be done to reduce expenses.

A motion was moved and seconded to authorize the General Manager to discuss these charges with the Board of Supervisors before paying the 2022 Elections Payment.

### Roll Call:

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

Nayes: None Abstain: None

Absent: McGaughey

### E. COMMITTEE REPORTS

1. Eastern San Joaquin Groundwater Authority Steering Committee Meeting, 07/12/23 Director Watkins and Manager Hopkins attended the Eastern San Joaquin Groundwater Authority Steering Committee Meeting on July 12<sup>th</sup>. Manager Hopkins reported the County provided an update on the Communication and Engagement Plan as prepared by Stantec. The plan was expected to be sent to the GSA's for review on July 12<sup>th</sup> however the plan has yet to be received.

Manager Hopkins reported the Steering Committee recommended a billing schedule to each of the GSA's to support the budget that was adopted at a previous board meeting. The budget exhibit will be going before the board next month.

Manager Hopkins reported the Steering Committee will advise the Technical Advisory Committee to convene and review the Tracy subbasin and the Eastern San Joaquin subbasin data management systems to discuss a preferred platform for singular use.

Manager Hopkins reported San Joaquin County has approved a \$2.1M transfer from county funds to the groundwater authority to pay for new monitoring wells.

Manager Hopkins reported the County provided a Grand Jury report conducted by the Grand Jury on the Eastern San Joaquin Groundwater Authority and subsequently sent to all the GSA's for their review.

Director Panizza stated the committee did not approve the budget funding at the last meeting as there were no staff to explain the budget in detail. Director Panizza inquired if the committee revisited the budget funding during this meeting. Manager Hopkins responded the budget funding

was reviewed and the Steering Committee recommended the budget funding be presented to the Board for approval.

### F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 07/11/23

Manager Hopkins 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 221,335 AF in storage at New Hogan Reservoir. Current releases are set at 233 cfs. There is 2,066,166 AF in storage at New Melones Reservoir. Current releases are set at 2,459 cfs. Current release at Goodwin Dam to Stanislaus River are set at 1,500 cfs and release to all water users are set at 3,150 cfs. There are 17 irrigators on New Hogan, 6 irrigators on New Melones, and 1 irrigator out of District. The water treatment plant is currently processing 47 mgd. The City of Stockton is currently processing 21.5 mgd.

Director Cortopassi inquired if the new measuring devices installed at Farmington Dam are reporting the total CFS diverted to Central San Joaquin Water Conservation District (CSJWCD). Manager Hopkins replied no, it measures the water being diverted to the District's Lower Farmington Canal (LFC). However, the District does utilize radial gates at the same headworks structure to estimate the water being diverted to CSJWCD. Director Cortopassi inquired if the District plans to accurately measure how much water is being diverted to CSJWCD. Manager Hopkins responded the District can incorporate a plan to do so.

Director Watkins inquired on the accuracy of the Goodwin diversion (GDW) release to the District at the tunnel outlet on the Upper Farmington Canal (UFC). Manager Hopkins responded the accuracy is within 10% of the reported CFS.

### 2. Information Items:

Manager Hopkins noted item: F2a-1 and F2a-2

### 3. Report on General Manager Activities

a. Stockton East Water District – Projects Discussion with Urban Contractors, 07/13/23

Director Watkins, Manager Hopkins and District Engineer Evensen met with the UC's to discuss the Bellota Weir Project and the Ozone Project. Manager Hopkins reported there was some reservations regarding the need for an ozone facility. The District expressed it is open to receiving feedback and suggestions to address the water quality issues without the construction of the ozone facility. One suggestion received was to construct a booster chlorination disinfection facility so the UC's can receive different amounts of chlorine residuals in their corresponding conveyance pipelines.

Manager Hopkins reported the Bellota Project discussion was not as collaborative. The focus shifted from the Bellota Project funding efforts to the Cost Allocation Study. Another meeting will be scheduled to discuss this further.

b. ACWA State Legislative Special Committee Meeting, 07/14/23 Manager Hopkins attended the ACWA State Legislative Special Committee Meeting on July 14<sup>th</sup>. The committee reported water rights bills AB460 and AB1337, and a groundwater related bill AB1563 were held by committee and will not be progressing through this year. Manager Hopkins reported there were seven bills in the bill packet, three of which were applicable to the District. ACWA discussed AB779 which establishes various methods and procedures for a comprehensive adjudication of groundwater rights in civil court. The bill was amended several times to resolve conflictions with existing laws, lower the barrier to participate and to increase the understanding of the importance of adjudication. The committee moved from an opposed unless amended to a watch position. AB1205 which is related to the sale, transfer, or leasing of water rights from agricultural land was amended. Initially this bill could have had a negative impact on ACWA members who engage in water transfers. However, the amendments proposed by the Senate Natural Resources and Water Committee (Committee) has resulted in AB1205 becoming a study bill. Lastly, the Committee reviewed SB389 which allows the State Water Board to request information from a water right holder without changing the State Water Board's enforcement authority. The Committee has moved from an opposed position to a watch position with the intent to further amend the bill.

c. Stockton Area Water Suppliers (SAWS) Meeting, 07/14/23 Manager Hopkins attended the Stockton Area Water Suppliers (SAWS) Meeting on July 14<sup>th</sup>. Manager Hopkins reported there was significant discussion regarding outreach messaging. There is a desire for SAWS and the GWA to collaborate on outreach strategies related to recharge projects.

d. Stockton East Water District Activities Update

Manager Hopkins reported staff is currently working on a funding plan for the Bellota Project. Additionally, staff met with a consultant from NHA Advisors, LLC who provides financial advice to assist with funding expensive projects. Manager Hopkins reported a presentation will be brought to the Board within the next month or so.

Manager Hopkins reported the 2024-25 Fiscal Year Budget is currently being discussed among staff. Manager Hopkins welcomed any budget suggestions from the Board.

Manager Hopkins reported staff have made several updates to the District's website as a result of the Grand Jury Report. Manager Hopkins stated if the Board agrees, a picture and biography page highlighting essential information about each director could be added to the website. Director Panizza inquired if the Brown Act prohibited publicizing the directors. Manager Hopkins replied it is restricted to mailings.

Manager Hopkins reported he will be out of the office next week for personal reasons.

### G. DIRECTOR REPORTS

### H. COMMUNICATIONS

 Stockton East Water District – Association of California Water Agencies Joint Powers Insurance Authority - 2023 Wellness Grant Letter, 07/12/23

Manager Hopkins presented the Board with correspondence from the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) congratulating the District for being awarded a Wellness Grant in the amount of \$1,760.00. Manager Hopkins reported this is the most the District has ever been awarded. The funds have previously been used to purchase items promoting health and wellness.

### I. AGENDA PLANNING/UPCOMING EVENTS

- San Joaquin County Flood Control and Water Conservation District Advisory Water Commission Meeting, 1:00 p.m., 07/19/23
   \*This meeting was cancelled\*
- 2. Virtual Town Hall Will Feature Candidates for ACWA President, 2:00 p.m., 07/19/23
- 3. Stockton East Water District Recharge Ad-Hoc Committee Meeting, 2:00 p.m., 07/20/23 President Atkins reported this meeting will be held at 2:00 p.m.
- 4. CVP Water Association Executive and Financial Affairs Committees Meeting, 10:00 a.m., 07/21/23
  - \*This meeting was cancelled\*

### J. REPORT OF THE COUNSEL

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Potential exposure to litigation – Government Code Section 54956.9 – three cases

President Atkins adjourned the meeting to closed session at 1:38 p.m. to discuss closed session agenda items. The regular meeting reconvened at 2:39 p.m., with no reportable action.

### K. ADJOURNMENT

President Atkins adjourned the meeting at 2:40 p.m.

Respectfully submitted,

Justin M. Hopkins Secretary of the Board

hmw

### STOCKTON EAST WATER DISTRICT INVOICES FOR BOARD PACKAGE CALPERS EFT REQUEST JULY 25, 2023

	Vendor name	District	Account #	Description	Amount	Invoice No.
		Fund#				
	CA Public Employees Retirement System (CalPERS)	70	10-5049-0	Retirement Contributions for Payroll 07/21/23-Admin	5,514.58	07/21/23 1245106351
2	CA Public Employees Retirement System (CalPERS)	70	10-2299-0	Retirement Contributions for Payroll 07/21/23-Admin	47.45	07/21/23 1245106351
				Total Fund 70 Admin	\$ 5,562.03	
	CA Public Employees Retirement System (CalPERS)	71	10-5049-0	Retirement Contributions for Payroll 07/21/23-WS-NM	4,590.18	07/21/23 1245106351
Le	CA Public Employees Retirement System (CalPERS)	71	10-5058-0	Retirement Contributions for Payroll 07/21/23-WS-NH	2,052.41	07/21/23 1245106351
				Total Fund 71 Water Supply	\$ 6,642.59	
	7 CA Public Employees Retirement System (CalPERS)	94	10-5049-0	Retirement Contributions for Payroll 07/21/23-M&I	20,624.46	07/21/23 1245106351
				Total Fund 94 Municipal & Industrial	\$ 20,624.46	
-						1
	Grand Total for Electronic I	- -unds 1	ransfer Red	quest on RBM 07/25/2023	\$ 32,829.08	

p.R.

Agenda Item: D-3 Date: 07/25/23

## Memorandum

To: Board of Directors

From: Justin Hopkins – General Manager

**Date:** July 25, 2023

**Re:** Podesta Reservoir - Agreement for Annual Surface Water Use

### **Background**

On April 30, 2008, the Stockton East Water District (District) entered into an Annual Water Use Credit Agreement with Mr. and Mrs. Fred Podesta, Jr (Landowner). The agreement provides the Landowner an annual surface water credit of 1,000 acre-feet for the Landowner's use of water right License #8252, which allows the Landowner to collect 1,400 acre-feet annually in storage and withdraw up to 1,320 acre-feet annually.

### **Summary**

The existing agreement was recently identified by District staff as having potentially terminated in 2018. After further interpretation, the agreement was determined to still be valid, but in need of updating. District staff coordinate with legal counsel and the Landowner to draft a new, formal agreement.

### **Recommendation**

District staff recommends the Board of Directors approve the Agreement for Annual Surface Water Use with Frederick F. Podesta, III and authorize the General Manager to make any other necessary approvals.

Agenda Item: D-3a

Date: 07/25/23

### AGREEMENT FOR ANNUAL SURFACE WATER USE

This AGREEMENT FOR ANNUAL SURFACE WATER USE ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_\_, 2023, by and between STOCKTON EAST WATER DISTRICT ("SEWD") and FRED PODESTA FARMS LP ("Podesta"). SEWD and Podesta shall be referred to herein collectively as the "Parties" and individually as a "Party."

### **RECITALS**

WHEREAS, SEWD is a water conservation district formed pursuant to a special act of the California Legislature;

WHEREAS, SEWD holds a contract with the United States Bureau of Reclamation authorizing the District's diversion and use of water from New Hogan Reservoir;

WHEREAS, pursuant to those powers granted under SEWD's enabling act, the District imposes surface water fees on all landowners within the District who divert water from a natural watercourse;

WHEREAS, Podesta is the owner of that certain real property located within the boundaries of SEWD, more particularly described on the attached **EXHIBIT A** ("**Podesta Property**"), which contains a storage reservoir (Podesta Reservoir) which Podesta uses to irrigate the Podesta Property;

WHEREAS, the Parties acknowledge Podesta is one of the owners of appropriative water rights identified as License 8252 issued by the California State Water Resources Control Board ("License");

WHEREAS, SEWD and Podesta previously entered into that certain informal Annual Water Use Credit Agreement dated April 30, 2008 whereby SEWD agreed to grant Podesta an annual water use credit to be diverted from Podesta Reservoir in order to irrigate a portion of the Podesta Property;

WHEREAS, the Parties now wish to enter into this Agreement to clarify the terms and conditions whereby SEWD acknowledges that Podesta is not required to pay any surface water fee to SEWD to the extent Podesta irrigates with water pursuant to the License.

NOW, THEREFORE, the Parties, on the terms and conditions herein set forth, agree as follows:

### **AGREEMENT**

1. **USE**: During the Term, SEWD agrees that Podesta shall not be charged the District's surface water fees for diversion and use on the Podesta Property of the amount of surface water authorized for use under the License, as measured on an annual basis by a

meter to be installed by SEWD at its expense and in accordance with SEWD Rules and Ordinances, subject to the following conditions:

- A. This Agreement and its rights and obligations shall remain in effect so long as Podesta continues to hold a valid right to divert water under License 8252 and so long as Podesta's use under the License complies with all applicable laws and conditions; and
- B. To the extent Podesta's surface water use on the Podesta Property, as measured by SEWD on an annual basis, is above and beyond the 1,320 acre-feet amount authorized for use under the License, Podesta shall be subject to SEWD's surface water fees for all diversions in excess of the License amount.
- 2. **TERM**: This Agreement shall become effective upon the start of the 2023 irrigation season and shall continue indefinitely subject to the right of either Party to terminate this Agreement upon ninety (90) days written notice to the other Party ("**Term**").
- 3. **ASSIGNMENT**: No party may assign its rights or obligations under this Agreement, in whole or in part, without prior written consent of all Parties hereto. Any attempted assignment of this Agreement, in whole or in part, without the prior written consent of all Parties hereto is void.
- 4. **NOTICES**: Any notice or communication required or permitted hereunder shall be in writing and shall be delivered personally, delivered by nationally recognized overnight courier service or sent by certified or registered mail, postage prepaid, or (if a facsimile number is provided) sent by facsimile (subject to confirmation of such facsimile transmission). Any such notice or communication shall be deemed to have been given (i) when delivered, if personally delivered, (ii) one Business Days after it is deposited with a nationally recognized overnight courier service, (iii) the day of sending, if sent by email prior to 5:00 p.m. (PT) on any Business Day or the next succeeding Business Day if sent by facsimile after 5:00 p.m. (PT) on any Business Day or on any day other than a Business Day or (iv) five Business Days after the date of mailing, if mailed by certified or registered mail, postage prepaid, in each case, to the following address or email address, or to such other address or addresses or facsimile number or numbers as such party may subsequently designate to the other parties by notice given hereunder:

### STOCKTON EAST WATER DISTRICT

Justin Hopkins, General Manager Post Office Box 5157 Stockton, CA 95205 6767 East Main Street, Stockton, CA 95215

Email: jhopkins@sewd.net Phone: (209) 948-0333

### **PODESTA**

Frederick F. Podesta, III 8000 Podesta Lane Linden, CA 95236

Email: fred@podestafarms.com

Phone: (209) 601-7973

DADTIEC.

Frederick F. Podesta, III

"Business Day" means any day other than a Saturday, Sunday or any other day on which banking institutions in the State of California are authorized by law or executive action to close.

- 5. **ENTIRE AGREEMENT**: This Agreement constitutes the entire Agreement between the Parties and supersedes any previous agreement, oral agreement, statement, or promise between them relating to the subject matter of the Agreement. Any amendment of this Agreement, including oral modifications, must be reduced to writing and signed by all Parties to be effective.
- 6. **COUNTERPARTS**: This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the date first above written.

PARTIE	5:	
STOCK	TON EAST WATER DISTRIC	Γ
Ву:	DRAFT	Date:
Justin	n Hopkins, General Manager	
PODEST	$\Gamma \mathbf{A}$	
Bv:	DRAFT	Date:

### EXHIBIT A LEGAL DESCRIPTION OF PODESTA PROPERTY

THE REAL PROPERTY LOCATED IN SAN JOAQUIN COUNTY, CALIFORNIA, SET FORTH BELOW:

### **PARCEL ONE:**

A PORTION OF THE NORTHWEST 4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF THE NORTHWEST¼ OF SAID SECTION 7 BEARING SOUTH O DEGREES 03 MINUTES EAST 1280.95 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 7, SAID POINT BEING THE NORTHEAST CORNER OF THE LAND DESCRIBED AS PARCEL ONE IN DEED TO BERNARD ETCHEVERRY, ET AL RECORDED MAY 10, 1956 IN BOOK OF OFFICAL RECORDS, VOL. 1866, PAGE 155, SAN JOAQUIN COUNTY RECORDS; THENCE NORTH 89 DEGREES 59 SECONDS WEST 674 FEET; THENCE SOUTH ODEGREES 05 MINUTES EAST ALONG THE WEST LINE OF THE HEREIN REFERRED TO PARCEL ONE OF ETCHEVERRY LAND TO THE SOUTH LINE OF THE LINDEN-BELLOTA ROAD; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID ROADS TO THE EAST LINE OF THE NORTHWEST¼ OF SAID SECTION 7, THENCE NORTHERLY ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

APN: 091-430-050, 23321 E. ST. RT. 26 HWY, LINDEN, CA

### **PARCEL TWO:**

### Parcel 1:

A TRACT OF LAND SITUATED IN THE NORTHWEST<sup>1</sup>/<sub>4</sub> OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE IN THE EAST LINE OF THE NORTHWEST ¼ OF SAID SECTION 7 BEARING SOUTH O DEGREES 03 MINUTES EAST 50 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF SAID SECTION ?;THENCE NORTH 89 DEGREES 59 MINUTES WEST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 7 AND ALONG THE SOUTH LINE OF THE RIGHT OF WAY OCCUPIED BY THE STOCKTON TERMINAL AND EASTERN RAILROAD 677.0 FEET TO AN IRON PIPE; THENCE 0 DEGREES 04 MINUTES WEST 10 FEET TO AN IRON PIPE AT CORNER OF SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 84 DEGREES 57 MINUTES WEST ALONG THE SOUTH LINE OF RIGHT OF WAY OF SAID RAILROAD 679.7 FEET TO AN IRON PIPE IN

THE WEST LINE OF ETCHEVERRY PROPERTY; THENCE SOUTH 0 DEGREES 22 MINUTES 30 SECOND EAST ALONG FENCE ON THE WEST LINE OF ETCHEVERRY PROPERTY BEING THE EAST LINE OF A 30 FOOT ROAD 2007.4 FEET TO AN IRON PIPE AT FENCE CORNER IN THE NORTH LINE OF LINDENBELLOTA ROAD; THENCE ALONG FENCE LINE OF THE NORTH LINE OF THE LINDEN- BELLOTA ROAD AS FOLLOWS:

SOUTH 88 DEGREES 03 MINUTES EAST 165.65 FEET; NORTH 84 DEGREES 13 MINUTES EAST 76.75 FEET; NORTH 74 DEGREES 20 MINUTES 30 SECONDS EAST 443.35 FEET TO AN IRON PIPE AT FENCE CORNER; THENCE ALONG FENCE LINE NORTH O DEGREES 05 MINUTES WEST 704.8 FEET TO AN IRON PIPE; THENCE SOUTH 89 DEGREES 59 MINUTES EAST 674.0 FEET TO AN IRON PIPE IN THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE ALONG FENCE ON THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, NORTH O DEGREES 03 MINUTES WEST 1230.95 FEET TO THE POINT OF BEGINNING.

### Parcel 2

A PORTION OF THE NORTHWEST'4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDICAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE RUNNING SOUTH O DEGREES 03 MINUTES EAST ALONG THE EAST LINE OF SAID NORTHWEST14, 50 FEET; THENCE NORTH 89 DEGREES 59 MINUTES WEST AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 7 AND ALONG THE SOUTHERLY RIGHT OF WAY FORMERLY OCCUPIED BY THE STOCKTON TERMINAL AND EASTERN RAILROAD 677,0 FEET TO AN IRON PIPE: THENCE NORTH O DEGREES 04 MINUTES WEST 10 FEET TO AN IRON PIPE; THENCE SOUTH 84 DEGREES 57 MINUTES WEST ALONG THE PROPERTY FORMERLY OWNED BY STOCKTON TERMINAL AND EASTERN RAILROAD 679.7 FEET TO AN IRON PIPE IN THE WEST LINE OF PROPERTY FORMALLY OWNED BY B, ETCHEVERR Y AS DESCRIBED IN JUDGMENT OUIETING TITLE RECORDED SEPTEMBER 29, 1924 IN BOOK OF OFFICIAL RECORDS, VOL. 46, PAGE 347, SAN JOAQUIN COUNTY RECORDS; THENCE NORTHERLY ALONG THE SAID WEST LINE OF THE SAID ETCHEVERRY PROPERTY IF EXTENDED NORTHERLY 100 FEET TO THE NORTH LINE OF SAID SECTION 7: THENCE SOUTH 89 DEGREES 59 MINUTES

EAST ALONG THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 1354.7 FEET TO THE POINT OF BEGINNING.

### Parcel 3

A TRACT OF LANE SITUATED IN THE NORTHWEST<sup>1</sup>/<sub>4</sub> OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE IRON PIPE AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED 50 ACRE TRACT; THENCE ALONG THE FENCE ON THE NORTH LINE OF THE LINDEN-BELLOTA ROAD AS FOLLOWS:

SOUTH 89 DEGREES 03 MINUTES EAST 165,65 FEET; NORTH 84 DEGREES 13 MINUTES EAST 76.75 FEET; NORTH 74 DEGREES 20 MINUTES 30 SECONDS EAST 443.35 FEET TO AN IRON PIPE AT FENCE CORNER; THENCE SOUTH O DEGREES 05 MINUTES EAST 163 FEET TO THE CENTER OF MORMON CHANNEL; THENCE ALONG THE CENTER OF LINE OF MORMON CHANNEL AS FOLLOWS:

SOUTH 75 DEGREES 20 MINUTES WEST 460 FEET; NORTH 88 DEGREES 20 MINUTES WEST 223 FEET; THENCE NORTH O DEGREES 22 MINUTES 30 SECONDS WEST 150 FEET TO THE POINT OF BEGINNING.

APN: 091-430-040, 7210 N. PODESTA LN., LINDEN, CA

### **PARCEL THREE:**

A PORTION OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 9 EAST OF MOUNT DIABLO AND BASE MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKED "XT" 64 FEET EAST OF THE NORTHWEST CORNER OF LOT 2 IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 9 EAST OF MOUNT DIABLO BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 17 DEGREES 40 MINUTES EAST (TRUE MERIDIAN MAGNETIC VARIATION 16 DEGREES 30 MINUTES EAST) 2501 FEET TO A POST FROM WHICH AN ASH TREE 8 INCHES IN DIAMETER MARKED "XT" IS SOUTH 71 DEGREES 50 MINUTES WEST 21 FEET DISTANT; THENCE SOUTH 17 DEGREES 40 MINUTES EAST 74 FEET; THENCE SOUTH 37 DEGREES 45 MINUTES EAST 82 FEET TO THE SOUTHERLY BANK OF THE CALAVERAS RIVER; THENCE SOUTH 79 DEGREES 00 MINUTES EAST 125 FEET TO THE CORNER OF A PICKET FENCE IN SAID SOUTHERLY BANK; THENCE SOUTH 32 DEGREES 20 MINUTES EAST 133 FEET TO THE SOUTH LINE OF SAID SECTION 6; THENCE EAST 157 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES EAST 76

FEET; THENCE NORTH 88 DEGREES 15 MINUTES EAST 88 FEET; THENCE NORTH 74 FEET TO THE SOUTHERLY LINE OF SAID SECTION 6; THENCE EAST ALONG SAID SOUTHERLY LINE 77 FEET TO A POINT FROM WHICH A WHITE OAK TREE ONE FOOT IN DIAMETER MARKED "XT" IS EAST 31 FEET. ANOTHER WHITE OAK TREE 8 INCHES IN DIAMETER MARKED "XT" IS SOUTH 29 DEGREES 30 MINUTES WEST 76 FEET DISTANT; THENCE NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID SECTION 6. A DISTANCE OF 295 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND: THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF SECTION 6 NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST, 977.49 FEET TO A FENCE: THENCE NORTH O DEGREES 26 MINUTES WEST ALONG SAID FENCE, A DISTANCE OF 3748.2 FEET TO THE CENTER LINE OF THE CALAVERAS RIVER; THENCE ALONG THE SAID CENTER LINE OF THE CALAVERAS RIVER, SOUTH 70 DEGREES 24 MINUTES WEST 24.5 FEET: THENCE CONTINUING ALONG THE SAID CENTER LINE OF THE CALAVERAS RIVER THE FOLLOWING COURSES AND DISTANCES: SOUTH 27 DEGREES 33 MINUTES WEST 212.2 FEET; SOUTH 45 DEGREES 01 MINUTES WEST 257.I FEET; SOUTH 36 DEGREES 43 MINUTES WEST 452.7 FEET; SOUTH 44 DEGREES 54 MINUTES WEST 296 FEET; SOUTH 69 DEGREES 50 MINUTES WEST 132.5 FEET AND SOUTH 58 DEGREES 40 MINUTES WEST, 73.32 FEET: THENCE SOUTH O DEGREES 26' EAST, 2715.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 70.83 ACRES.

APN: 091-350-260, 8100 N. PODESTA LN., LINDEN, CA

### **PARCEL FOUR:**

A PORTION OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 9 EAST MOUNT DIABLO BASE AND MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POST MARKED "XT", 64 FEET EAST OF THE NORTHWEST CORNER OF LOT 2 IN THE SOUTHWEST QUARTER (SWI/4) OF SECTION 6, TOWNSHIP 2 NORTH, RANGE 9 EAST, MOUNT DIABLO BASE AND MERIDIAN, SAID POST BEING NORTH 17 DEGREES 40 MINUTES WEST 2501 FEET FROM A POST FROM WHISH AN ASH TREE 8 INCHES IN DIAMETER MARKED "XT" IS SOUTH 71 DEGREES 50 MINUTES WEST 21 FEET DISTANT, RUN THENCE SOUTH 17 DEGREES 40 MINUTES EAST 294.3 FEET TO THE CENTER LINE OF THE CALAVERAS RIVER; THENCE ALONG THE SAID CENTERLINE OF THE CALAVERAS RIVER NORTH 71 DEGREES 37 MINUTES EAST 305.1 FEET; THENCE CONTINUING ALONG THE SAID CENTER LINE OF THE CALAVERAS RIVER THE FOLLOWING COURSES AND DISTANCES: NORTH 59 DEGREES 56 MINUTES EAST 311.6 FEET; SOUTH 89 DEGREES 38 MINUTES EAST 75.7 FEET; NORTH 72 DEGREES 15 MINUTES EAST 145.4 FEET; THENCE SOUTH 89

DEGREES 47 MINUTES EAST 253.6 FEET; SOUTH 76 DEGREES 30 MINUTES EAST 316.6 FEET: NORTH 58 DEGREES 40 MINUTES EAST 306.6 FEET; NORTH 69 DEGREES 50 MINUTES EAST 132.5 FEET; NORTH 44 DEGREES 54 MINUTES EAST 296.0 FEET; NORTH 36 DEGREES 43 MINUTES EAST 452.7 FEET; NORTH 45 DEGREES 01 MINUTES EAST 257.1 FEET; NORTH 27 DEGREES 33 MINUTES EAST 212.2 FEET; NORTH 70 DEGREES 24 MINUTES EAST 600 FEET; NORTH 68 DEGREES 01 MINUTES EAST 485.6 FEET; SOUTH 76 DEGREES 06 MINUTES EAST 339.8 FEET TO THE EAST LINE OF THE WEST HALF (W1/2) OF THE NORTHEAST QUARTER (NEI/4) OF SAID SECTION 6; AND NORTH 0 DEGREES 32 MINUTES WEST 4039.1 FEET FROM THE SOUTHEAST CORNER OF THE WEST HALF (W1/2) OF THE SOUTHEAST OUARTER (SE1/4) OF SAID SECTION 6 THENCE NORTH 0 DEGREES 32 MINUTES WEST ALONG THE SAID EAST LINE OF THE WEST HALF (W1/2) OF THE NORTHEAST QUARTER (NEI/4) OF SAID SECTION 6 TO THE NORTHEAST CORNER OF THE SAID WEST HALF (WI/2) OF THE NORTHEAST OUARTER (NEI/4) OF SAID SECTION 6; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 6, TO THE NORTHWEST CORNER OF LOT 2 IN THE NORTHWEST OUARTER OF SAID SECTION 6; THENCE SOUTH ALONG THE WEST LINE OF THE SAID LOT 2 IN THE NORTHWEST QUARTER OF SAID SECTION 6 TO THE NORTHWEST CORNER OF LOT 2 IN THE SOUTHWEST QUARTER OF SAID SECTION 6; THENCE EAST 64 FEET TO THE POINT OF BEGINNING AND CONTAINING 187 ACRES, MORE OR LESS.

APN: 067-080-020, 8297 N. PODESTA LN., LINDEN, CA

## REGION 4 Board Ballot

Agenda Item: D-4
Date: 07/25/23
2024-2025 TERM



## Please return completed ballot by Sept. 15, 2023

**E-mail:** regionelections@acwa.com

Mail: ACWA

980 9th Street, Suite 1000 Sacramento, CA 95814

## **General Voting Instructions:**

- 1) You may either vote for the slate recommended by the Region 4 Nominating Committee or vote for individual region board members. Please mark the appropriate box to indicate your decision.
- Complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

Submitted board candidate bios and headshots are available on www.acwa.com/ elections/2023-region-elections/.

## Nominating Committee's Recommended Slate

I concur with the Region 4 Nominating Committee's recommended slate below.

### **CHAIR:**

• Brian Sanders, Policy & Legislative Specialist, City of Sacramento Department of Utilities

### VICE CHAIR.

• **Kristin Sicke**, General Manager, Yolo County Flood Control & Water Conservation District

### **BOARD MEMBERS:**

- Ronald Davis, Director, Carmichael Water District
- Cary Keaten, General Manager, Solano Irrigation District
- Thomas D. Orvis, President, Oakdale Irrigation District
- Andrew Watkins, Director, Stockton East Water District
- **David Weisenberger**, General Manager, Banta-Carbona Irrigation District

OR

### **Individual Board Candidate Nominations**

I do not concur with the Region 4 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

### **CANDIDATES FOR CHAIR: (CHOOSE ONE)**

- **Brian Sanders**, Policy & Legislative Specialist, City of Sacramento Department of
- Kristin Sicke, General Manager, Yolo County Flood Control & Water Conservation
  District

### **CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)**

- Brian Sanders, Policy & Legislative Specialist, City of Sacramento Department of
- Kristin Sicke, General Manager, Yolo County Flood Control & Water Conservation District

### **CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)**

Ronald Davis, Director, Carmichael Water District

Cary Keaten, General Manager, Solano Irrigation District

Thomas D. Orvis, President, Oakdale Irrigation District

Kristin Sicke, General Manager, Yolo County Flood Control & Water Conservation District

Andrew Watkins, Director, Stockton East Water District

**David Weisenberger**, General Manager, Banta-Carbona Irrigation District

2

**AGENCY NAME** 

AUTHORIZED REPRESENTATIVE

DATE

Agenda Item: D-5 Date: 07/25/23

## RESOLUTION OF THE BOARD OF DIRECTORS OF STOCKTON EAST WATER DISTRICT

### **RESOLUTION NO. 23-24-06**

### ADOPTING APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-2024

WHEREAS, Article XIIIB of the California Constitution and Division 9, commencing with Section 7900, of Title 1 of the California Government Code require Stockton East Water District to adopt an Appropriations Limit for each Fiscal Year; and

WHEREAS, Stockton East Water District has determined that the appropriations limit for Fiscal Year 2023-2024 is \$1,866,856 while for Fiscal Year 2022-2023 it was \$1,779,823; and

WHEREAS, the documentation supporting such determination is set forth in Exhibit "A", Attachment "A", and Attachment "B" which are attached hereto and incorporated herein by reference, and have been available to the public for over 15 days; and

WHEREAS, the estimated property tax revenue for the District for Fiscal Year 2023-2024 is \$490,000 which is substantially less than the Appropriations Limit and results in no impact on the budget;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Stockton East Water District that the Appropriations Limit set for the District for Fiscal Year 2023-2024 is hereby set at \$1,866,856.

PASSED AND ADOPTED by the Board of Directors of Stockton East Water District at a regular meeting thereof held on this 25<sup>th</sup> day of July, 2023, by the following vote:

AYES: NAYES: ABSENT: ABSTAIN:	DRAFT
	Richard Atkins, President Board of Directors
ATTEST: <b>DRAFT</b>	
Justin M. Hopkins, Secretary	

Agenda Item: D-5a Date: 07/25/23

### **EXHIBIT A**

## EXHIBIT A STOCKTON EAST WATER DISTRICT 2023-2024 APPROPRIATIONS LIMIT CALCULATIONS

Changes (as provided by the Dept. of Finance, State of California, dtd May, 2023):

California per Capita P	ersonal Income	Index			4.44
Population (San Joaqu	in County)				0.43
Per Capita converted to a ratio:	4.44	+ 100	100	=	1.0444
Population converted to a ratio:	0.43	+ 100	100	=	1.0043
Calculation of Factor for FY 2022-	2023 1.0444	x	1.0043	=	1.0489
Appropriations Limitation FY 2022	-2023:				
2022-2023 Limit of	\$1,779,823	x	1.0489	=	\$1,866,856
					(2023-2024 Limit)

Agenda Item: D-5b Date: 07/25/23



Gavin Newsom • Governor

1021 O Street, Suite 3110 Sacramento CA 95814 www.dof.ca.gov

Dear Fiscal Officer:

Subject: Price Factor and Population Information

### **Appropriations Limit**

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

### **Population Percent Change for Special Districts**

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml">http://leginfo.legislature.ca.gov/faces/codes.xhtml</a>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

### **Population Certification**

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023**.

**Please Note**: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW Director By:

Erika Li Chief Deputy Director

**Attachment** 

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

### 2023-24:

Per Capita Cost of Living Change = 4.44 percent Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio:  $\frac{4.44 + 100}{4.00} = 1.0444$ 

100

Population converted to a ratio: -0.35 + 100 = 0.9965

100

Calculation of factor for FY 2023-24: 1.0444 x 0.9965 = 1.0407

Attachment B

Annual Percent Change in Population Minus Exclusions\*

January 1, 2022 to January 1, 2023 and Total Population, January 1, 2023

County City	Percent Change 2022-2023	Population Min	us Exclusions 1-1-23	Total Population 1-1-2023
San Joaquin				
Escalon	-1.01	7,338	7,264	7,264
Lathrop	11.10	31,575	35,080	35,080
Lodi	-0.02	66,305	66,293	66,293
Manteca	2.33	86,784	88,803	88,803
Ripon	-0.95	15,921	15,769	15,769
Stockton	-0.68	321,911	319,731	319,731
Tracy	0.83	94,830	95,615	95,615
Unincorporated	-0.36	155,537	154,983	157,590
County Total	0.43	780,201	783,538	786,145

<sup>\*</sup>Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

Agenda Item: D-6 Date: 07/25/23

## Memorandum

**To:** Board of Directors

From: Justin Hopkins – General Manager

Juan Vega – Assistant General Manager Darrel Evensen – District Engineer David Higares – Maintenance Manager Manuel Verduzco – Senior Engineer

**Date:** July 25, 2023

Re: Procurement of Materials and Equipment for Hosie Low Water Crossing Project and

**Proposed Budget Transfer** 

### Background:

Stockton East Water District (District) has teamed up with various stakeholders to finalize the design of the Hosie Low Water Crossing Project (Project). The District received a \$1,958,510 grant from the Department of Water Resources (DWR) to rebuild four Low Water Crossings. The Low Water Crossings include: Hosie, George Watkins, Fujinaka, and Hogan crossings. As part of the construction, the District is responsible for the procurement of materials, equipment, and permitting that pertain to the Project.

District staff has requested several cost proposals from various vendors for a 30 CFS- capacity pumping system to bypass the construction site for continued irrigation service and placement of a dam upstream of the construction area.

Other costs include: rock for the engineered streambed mix, lifting cranes, and heavy construction equipment.

### **Summary:**

Staff has been working with various companies to coordinate the resources and materials for the Project. Some of the critical components for the project are: a 30 CFS pump bypass system, a 275-ton crane, transportation of material and debris, and the construction rental equipment.

For the 30 CFS bypass pumping, the District, reached out to Rain for Rent and Herc Rentals for a proposal. These are the two identified entities in the area with the equipment, availability and knowhow to install the bypass within the scope of the Project . The cost proposal Rain for Rent provided was for \$97,277.45 while the proposal for **Herc Rentals was \$79,553.62**. Herc Rentals will provide the necessary rental items and equipment to accommodate the water bypass of the project site. They will also deliver and install a pump along with HDPE pipe and related valves and fittings for the construction.

Secondly, staff solicited a cost proposal from three local crane companies. **Titan Crane & Rigging provided their cost proposal at \$21,390.00**, while the second proposal came from American Crane Rental at \$31,837.00. A third vendor was contacted and did not provide a cost proposal. The contractor will provide a 275-ton crane, 4 loads of counter weight, a 75-ton crane

and a certified rigger with 1 truck and empty flatbed trailer. This quote is based on a 12-hour workday. The second cost proposal was from American Crane Rental at \$31,837.00.

Thirdly, SEWD requested cost proposals from a local trucking companies that would be able to provide and deliver the engineered streambed material for the Project and transport debris from demolition of the old crossing. Two companies, F.T.G Construction Materials (FTG) and Sekhon and Son Trucking Inc. (Sekhon) provided quotes. Sekhon had a rate of \$140 per hour while FTG had a rate of \$150 per hour. However, the quote from Sekhon stipulated several areas where additional charges are possible such as, fuel surcharge, minimum hours, clean out charges, and additional fees for disposal. Based on these factors and previous experience with both vendors, staff anticipates using FTG. The estimated cost for FTG is \$55,000.

Finally, staff received heavy equipment rental cost from ECCO and CAT Rentals. A third rental equipment company declined to provide a quote. **Table 1** shows the equipment, duration, and costs required for the Hosie Low Water Crossing Project.

Qty	Equipment	ECCO	CAT Rentals
2	950Cat Loader (8-14-2023 thru 11-10-2023)	\$41,893.20	\$43,740.00
2	325 CAT Excavator w Thumb (8-14-2023 thru 11-10-2023)	\$41,214.36	\$45,900.00
1	D-6 CAT Dozer 6-way blade (8-14-2023 thru 11-10-2023)	\$28,122.75	\$50,250.00
2	Breaker Hammer Attachment (8-14-2023 thru 9-14-2023)	\$12,283.50	\$6,137.20
1	2K Water Truck (8-14-2023 thru 11-10-2023)	\$9,374.50	\$14,602.04
1	66" Sheepsfoot Drum Roller (8-14-2023 thru 11-10-2023)	\$11,145.66	\$14,250.00
Total		\$144,033.97	\$174,879.24

Table 1. Heavy equipment rental cost.

A summary of the cost of the 30 CFS bypass pumping, 275-ton crane, material and debris transportation, and the rental equipment are shown in **Table 2**.

Task	Equipment/Material	Total
1	Bypass Pumping System	79,553.62
2	Crane	\$21,390.00
3	Transportation of Material and Debris	\$55,000.00
4	Heavy Equipment Rental	\$144,033.97
Total		299,977.59

Table 2. Equipment rental and material cost.

### Financial Impact:

The Board of Directors (Board) approved \$200,000 for the Fiscal Year Budget 2023-2024 for completion of the Project. Due to permitting delays, the Project timeline has been severely condensed which in turn has caused costs to be slightly higher. Coupled with inflation, the Project budget will not be sufficient to cover the expected costs listed in **Table 2**, and any additional costs necessary to complete the Project. A possible transfer from the George Watkins Crossing Project

which will not be constructed this fiscal year due to design and permitting delays, would solve the issue as can be seen in **Table 3**. After the possible transfer the Hosie Project should have sufficient contingencies to complete the Project and \$170,000 will remain in the George Watkins Crossing Project should a fund transfer for another purpose be necessary.

Item	Fund	Account			-		Ending Balance		
Transfer To			New Hogan Distribution - Hosie	\$	200,000		250,000		450,000
Transfer From	71	10-5205-0	New Hogan Distribution - George Watkins	\$	420,000	\$	(250,000)	\$	170,000

**Table 3. Proposed Budget Transfer** 

### **Recommendation:**

Staff respectfully recommends:

- 1. A budget amendment as delineated in **Table 3**.
- 2. The Board authorize the General Manger to approve the above-mentioned agreements in the amount of \$299,977,.59 plus a 10% contingency of \$29,997.76 for the total amount of \$329,975.35, and make all other necessary approvals.

Agenda Item: F-1 Date: 07/25/23

Weekly Water Report	As of:	As of:	
	July 18, 2023	July 25, 2023	
New Hogan (NHG) TOC	317,100		AF
Storage:	224,600		AF
Net Storage Change:	-6,009		AF
Inflow:	63		CFS
Release:	237		CFS
New Melones (NML) Allocation	75,000		AF
Storage:	2,064,020		AF
Net Storage change:	-10,730		AF
Inflow:	2,310		CFS
Release:	3,246		CFS
Source: CDEC Daily Reports			

Goodwin Diversion (GDW)		
Inflow (Tulloch Dam):	3,568	CFS
Release to Stanislaus River (S-98):	1,504	CFS
Release to OID (JT Main):	893	CFS
Release to SSJID (SO Main):	382	CFS
Release to SEWD:	_ 332	CFS
Total Release	3,111	CFS
Source: Tri-Dam Operations Daily Report		
Farmington Dam (FRM)		
Diverted to SEWD:	110	CFS
Diverted to CSJWCD:	200	CFS

Surface Water Used		
Irrigators on New Hogan:	17	
Irrigators on New Melones:	4	
Out-Of-District Irrigators:	4	
DJWWTP Production:	48	MGD
North Stockton:	12	MGD
South Stockton:	9	MGD
Cal Water:	31	MGD
City of Stockton DWSP Production:	21.5	MGD

District Ground Water Extraction		
74-01	0	GPM
74-02	0	GPM
North	0	GPM
South	0	GPM
Extraction Well # 1	0	GPM
Total Well Water Extraction	0	GPM
Total Ground Water Production	0	MGD

Note: All other flow data reported here is preliminary, as of 10:30 a.m. on 07/18/23.

Agenda Item: I-2 Date: 07/25/23

### **MEETING AGENDA**



MEETING DATE: 7/26/2023 NEXT MEETING DATE: TBD

TIME: 10:00 AM – 12:00 PM PDT TIME: TBD

LOCATION: 1810 E Hazelton Ave Conference Room A

1. Welcome and Introductions

2. Review and Discuss Glossary of Terms

3. Categorization of Model Components

4. Two-GSA Example of Accounting Process

5. Discussion and Next Steps

10 minutes (10-10:10 AM)

50 minutes (10:10-11:00 AM)

30 minutes (11:00-11:30 AM)

20 minutes (11:30 -11:50 AM)

10 minutes (11:50 AM-12 PM)