

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, FEBRUARY 13, 2024 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 Legal Counsel Selke 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, District Engineer Evensen, Finance Director Ram, Chief Plant Operator Brothers, Administrative Assistant Wood and Legal Counsel Selke. Consultant Barkett arrived at the meeting at 1:37 p.m.

B. CONSENT CALENDAR (None)

C. PUBLIC COMMENT (None)

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Minutes 02/06/24 Regular Meeting

A motion was moved and seconded to approve the February 6, 2024 Minutes, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

2. Warrants

- a. Fund 70 – Administration Fund
- b. Fund 71 – Water Supply Fund
- c. Fund 89 – Fish Passage Improvements 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

Director McGurk inquired on the expense on page 7, line item 10 for Employment Development Department for EDD Unemployment in the amount of \$10,798.77. Manager Hopkins replied a previous employee filed for unemployment. The Employment Development Department (EDD) determined the District is responsible for paying those unemployment benefits. Finance Director Ram added the charges are currently being disputed however, the District must pay to avoid any penalties.

Director McGurk inquired on the expense on page 8, line item 17 for Robert Half Finance & Accounting for Temporary labor for Admin week ending 12/15/23-01/19/24 in the amount of \$3,961.77. Manager Hopkins replied Robert Half Finance & Accounting specializes in providing temporary labor.

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Director McGurk inquired on the acronyms for line items 109-111 on page 17 for “LLPS”. Manager Hopkins replied “LLPS” is the abbreviation for Low Lift Pump Station.

Director McGurk inquired on the expense on page 18, line item 118 for ControlPoint Engineering, Inc. for Welding wire, cutting wheel & grinding wheels in the amount of \$45,890.00. Finance Director Ram replied the description is incorrect. The work performed is for integration of the SCADA system in the Sodium Hypochlorite building. Finance Director Ram stated staff will correct the description.

Director McGurk inquired on the expense on page 19, line item 157 for Standard Insurance Co. for March 2024 long-term insurance-M&I in the amount of \$1,452.70. Assistant Manager Vega replied the District offers a long-term disability benefit.

President Atkins inquired on the expense on page 19, line item 158 for Stockton Auto & Truck for Oil – Ironworker machine in the amount of \$326.96. Assistant Manager Vega responded the expense is for twenty (20) gallons of hydraulic oil.

President Atkins inquired on the expense on page 17, line item 104 for Acme Saw & Supply for Parts & labor to repair hedge trimmer in the amount of \$396.59. Manager Hopkins stated he would have staff research what type of equipment needed repair. Staff confirmed the equipment was a pole mounted hedge trimmer and new equipment is twice the cost of the repair.

A motion was moved and seconded to approve the February 13, 2024 Warrants, as amended.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

3. Resolution No. 23-24-16 – Statement of Consistency Pursuant to Executive Order N-7-22 and Findings of Fact Stockton East Water District Groundwater Sustainability Agency
Manager Hopkins provided the Board with Resolution No. 23-24-16. Manager Hopkins reported the District occasionally receives well permit applications from the San Joaquin Environmental Health Department (SJEHD). The District is required to submit a statement of consistency to San Joaquin County stating the proposed well would be consistent with the District’s Groundwater Sustainability Plan. This resolution would authorize staff to make well consistency determinations to help expedite the process. Director Cortopassi expressed concern for giving staff a ‘rubber stamp’ for approval.

President Atkins inquired what the consequence would be should the Board deny a well permit application. Manager Hopkins replied the District could be liable for denying the applicant access to groundwater.

Director Watkins suggested the Board continue to be notified when the District receives a well permit application should this resolution be approved and offered the Consent Calendar as a potential alternative.

Discussion followed.

No motion was made to adopt the resolution.

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4. Stockton East Water District – Injury & Illness Prevention Plan Update
Manager Hopkins provided the Board with the District’s Injury & Illness Prevention Plan. Manager Hopkins reported the Injury and Illness Prevention Plan gets brought to the Board every few years to adopt new updates that have been applied. Manager Hopkins reported since the plan was last updated on May 2, 2023, Staff have added sections; H. Monthly Inspection Report, K. Reporting of Serious Injury and Death, M. Workplace Violence Protection Plan, Q. Appendix B – District Safety Policies & Programs, X. Appendix I – Monthly Inspection Report Form, and Y. Appendix J – Workplace Violence Report Form.

Director McGurk inquired on Section A. Overview, item 4. Unsafe Condition or Practice Assessment. Manager Hopkins replied staff are regularly encouraged to report unsafe conditions as they are identified by use of this form.

Director McGurk inquired on Section Q. Appendix B – District Safety Policies & Programs, item 12. Wildfire Smoke Protection Program. Manager Hopkins replied the Wildfire Smoke Protection Program outlines measures to protect employees where the current Air Quality Index (AQI) for PM2.5 particulate is 151 or greater. Director McGurk inquired if District agreements contain language pertaining to the delay of projects due to unhealthy air quality. Manager Hopkins replied staff would research the language stated in the general conditions.

Director Watkins inquired on the workplace security practices identified in Section M. Workplace Violence Protection Plan. Manager Hopkins replied the District is required to develop workplace security practices by July 1, 2024.

Discussion followed.

A motion was moved and seconded to approve the Stockton East Water District – Injury & Illness Prevention Plan, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

5. Stockton East Water District Policy Manual – Substance Abuse Policy No. 2015
Manager Hopkins provided the Board with Policy No. 2015. Manager Hopkins reported the Substance Abuse Policy has been updated to reflect 1) compliance of new laws related to substance abuse testing and 2) clarification on the terms DOT employees and safety-sensitive employees.

Director Cortopassi inquired if this policy applies to DOT employees or to all employees. Manager Hopkins replied this policy applies to all employees, however, only DOT employees are subject to the random drug & alcohol testing program. All employees will be subject to drug and alcohol testing when there is a reason to believe that controlled substances or alcohol use is adversely affecting job performance. Managers and Supervisors are trained to identify circumstances and indicators that may create reasonable suspicion. Director Cortopassi requested Staff consider performing random drug tests on all employees.

Discussion followed.

A motion was moved and seconded to approve the Stockton East Water District Policy Manual – Substance Abuse Policy No. 2015, as presented.

Roll Call:

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

6. Stockton East Water District – Vault 66 Fish Passage Project – Scope and Grant Potential Memo
Manager Hopkins provided the Board with a memo regarding the Vault 66 Fish Passage Project. Assistant Manager Vega reported the District’s Calaveras Habitat Conservation Plan (HCP) includes numerous fish passage improvement projects on the Calaveras River and Mormon Slough. These critical projects in the HCP must be completed by 2030. One such project is the railroad bridge improvements in the Mormon Slough at Vault 66 for improved fish passage and potential siphons under the Mormon Slough to increase Peters Pipeline capacity. Peters Pipeline presently crosses over the Mormon Slough on top of a former railroad bridge. The concrete skirt for the bridge foundation is a barrier to fish passage as the skirt is several feet above the streambed elevation. District staff performed cost estimates for three different project options for grant funding to improve the site 1) demolishing the existing concrete railroad bridge and 322 linear feet of steel pipe and installing two 48” Reinforced Concrete Pipe (RCP) siphons that go under the Mormon Slough then intertie to the Peters downstream 2) similar to option 1 except the railroad bridge would stay and the foundation would be modified to allow for fish passage and 3) perform modifications to the in-channel concrete of the bridge to improve fish passage. Staff recommends the Board authorize the General Manager to direct staff to proceed with project development consistent with Option #3, Fish Passage Improvements on Concrete Skirt with an estimated cost of \$1.5M and apply for pertinent grant opportunities for said project. Manager Hopkins said a scope of work must be identified when submitting grant applications. Discussion followed.

A motion was moved and seconded to authorize the General Manager to direct staff to proceed with project development consistent with Option #3, Fish Passage Improvements on Concrete Skirt with an estimated cost of \$1.5M and apply for pertinent grant opportunities for said project as they arise, as presented.

Roll Call:

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

7. Stockton East Water District – High Service Pump Station Roof Hatches and Proposed Budget Amendment Memo
Manager Hopkins provided the Board with a memo regarding the High Service Pump Station (HSPS) Roof Hatches. Assistant Manager Vega reported urgent concerns about the deteriorating condition of the sunroof skylights on the HSPS building. The skylights are original building features and have been repaired numerous times over the years. As such, they are in very poor condition, and at the end of their useful life, where additional repairs are not advised. Two electric motors are believed to have been damaged, due to moisture or foreign elements as reported by an outside motor pump service company. Additionally, the District is in the middle of installing air conditioning (A/C) units that require a thermally enclosed building. Given these challenges, staff have solicited quotes to replace the eight (8) existing 4’x4’ skylights with thermal roof hatches. Overall, CRS, Inc. provided the lowest quote for a total of \$28,804.90.

Director Sanguinetti stated there are other factors that can contribute to the moisture problem such as condensation. Assistant Manager Vega replied it is possible the damage to the motors is not solely based on the deteriorating skylights however they could be a contributing factor. District Engineer Evensen added replacing the skylights are necessary as the A/C units require a thermally enclosed building and should be performed prior to roof replacement budgeted next fiscal year. Director Cortopassi inquired if the A/C units have been installed. Assistant Manager Vega responded installation has not yet been completed but is in process.

Discussion followed.

A motion was moved and seconded to authorize the General Manager to approve the purchase of eight roof hatches from CRS, Inc. to replace the 8 existing 4’x4’ skylights in the HSPS Building for \$28,804.90, plus a 10% contingency of \$2,880.49 for a total of \$31,685.39, and make all other necessary approvals, as presented.

Roll Call:

Ayes: Atkins, McGurk, Panizza, Sanguinetti, Watkins

Nays: None

Abstain: Cortopassi

Absent: None

8. Final Partnership Charter – Mokelumne River Integrated Water Storage and Conjunctive Use Program (MICUP)

Manager Hopkins provided the Board with the Mokelumne River Integrated Water Storage and Conjunctive Use Program (MICUP) Charter. Manager Hopkins reported San Joaquin County (SJC) received grant funding to help pursue options to advance the Mokelumne River Water & Power Authority (MRWPA) Water Right Application by identifying viable projects that can be implemented. GEI Consultants, Inc. and Rincon Consultants, Inc. have been contracted to facilitate the project, ongoing project management and coordination. The intent is to clarify the work plan, support the coordinating committee, and establish goals and objectives. The consultants are working to develop a MICUP Partnership Charter. Any agencies who commit to the partnership will uphold to the expectations outlined in this document.

A motion was moved and seconded to approve the participation in the Partnership Charter for the Mokelumne River Integrated Water Storage and Conjunctive Use Program (MICUP), as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

9. Cancellation of February 27, 2024 Stockton East Water District Regular Board Meeting

A motion was moved and seconded to approve the cancellation of the February 27, 2024 Stockton East Water District Regular Board Meeting, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

10. Resolution No. 23-24-18 – Authorization to File a Grant Application with the United States Bureau of Reclamation for the WaterSMART Water and Energy Efficiency Grants (Funding No. R24AS00052) for Fiscal Year 2024 and Fiscal Year 2025, Execute Any Required Documents and Provide Delegation of Authority

Manager Hopkins provided the Board with Resolution No. 23-24-18. Manager Hopkins reported the District desires to file a grant application with the United State Bureau of Reclamation for a WaterSMART Water and Energy Efficiency Grant to gunite line the Upper Farmington Canal (UFC) to improve hydraulic conditions, minimize plant growth and save water. The UFC Canal Lining Phase 1 Project budget is estimated at \$1,690,844. The District is seeking \$845,422 in grant funding and the District will budget \$845,422 for FY 25-26 towards matching funding.

Director Cortopassi inquired if this would include a liner between the existing lined section and the new flume. District Engineer Evensen replied yes.

A motion was moved and seconded to approve Resolution No. 23-24-18 – Authorization to File a Grant Application with the United States Bureau of Reclamation for the WaterSMART Water and Energy Efficiency Grants (Funding No. R24AS00052) for Fiscal Year 2024 and Fiscal Year 2025, Execute Any Required Documents and Provide Delegation of Authority, as presented.

Roll Call:

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

E. COMMITTEE REPORTS

1. Eastern San Joaquin Groundwater Sustainability Plan: Project Management Committee Meeting, 02/08/24
Manager Hopkins attended the Eastern San Joaquin Groundwater Sustainability Plan: Project Management Committee Meeting on February 8th. Manager Hopkins reported the committee reviewed modeling information. The District has provided Woodard & Curran with Geospatial Resources of Water Management for Agricultural Systems (GROWMAS) assessment information to determine Evapotranspiration (ET) with the satellite methodology. Additionally, the District provided non-irrigation season recharge data for the natural waterways. An estimate of allowable subsidence for District facilities is due by February 15th.
2. San Joaquin County and Delta Water Quality Coalition Steering Committee Meeting, 02/12/24
President Atkins attended the San Joaquin County and Delta Water Quality Coalition Steering Committee Meeting on February 12th. President Atkins reported the minutes were approved. During the Memberships report the committee discussed the percentage of users utilizing the portal and ways to improve the portal. During the Program Manager’s Report, the committee discussed toxicity in Terminus Tract, Roberts Island, Whiskey Slough, Rindge Tract, and Union Island. During the Old Business report the committee discussed Methylmercury. The committee also discussed CV Salts.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 02/06/24
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 185,141 AF in storage at New Hogan Reservoir. Current releases are set at 100 cfs. There is 1,973,674 AF in storage at New Melones Reservoir. Current releases are set at 1,362 cfs. Current release at Goodwin Dam to Stanislaus River is set at 1,501 cfs and release to all water users is set at 0 cfs. The district water treatment plant (WTP) is currently processing 28 mgd. North Stockton is currently utilizing 9 mgd. South Stockton is currently utilizing 7 mgd. Cal Water is currently utilizing 19 mgd. The City of Stockton WTP is currently processing 0 mgd.

2. Information Items:

- a. Manager Hopkins noted items: F2a-1

3. Report on General Manager Activities

- a. ACWA State Legislative Committee Meeting, 02/09/24

Manager Hopkins attended the ACWA State Legislative Committee Meeting on February 9th. Manager Hopkins reported the Deputy Executive Director Cindy Tuck noted this year's legislature leaders are rural representative. There is high expectation legislation will primarily focus on housing. It was unofficially reported AB1337, a water rights bill from 2023, will not be moving forward due to heavy opposition. ACWA introduced AB2257 which will require opponents of proposition 218 process to exhaust all administrative remedies before a lawsuit can be filed. The committee discussed SB937 which prohibits local agencies from collecting connection and capacity fees. ACWA is in an opposing position unless the bill is amended to exclude water districts. During the Regulatory Update the committee was notified in April the State Water Resources Control Board will begin to move forward with the GSAs that are in probation and move forward with the Voluntary Agreements.

- b. Stockton East Water District Activities Update

Manager Hopkins reported he had a meeting with the Department of Water Resources (DWR) regarding watershed resiliency grant funding. The funding does not require any matching funds however, it does require the District to participate at a regional level. The District will need to identify ways to improve our watershed resiliency, address climate change and how to make water availability more equitable. This information will be brought before the Board for consideration next week.

Manager Hopkins reported he met with North San Joaquin Water Conservation District (NSJWCD), and CalWater and the City of Stockton, respectively regarding mutual aid agreements.

Manager Hopkins reported the application period for the Division 6 Vacancy has been closed and two applications were received. Copies of the applications will be provided to the Board for review.

4. Stockton East Water District Treatment Plant Update

Chief Plant Operator Brothers reported for the month of January 98 samples of E coli were collected and 0 were positive. Stockton East Water District treatment plant processed 2,363 AF, and delivered 2,222 AF Cal Water and City of Stockton, Cal Water, Diamond Walnut and City of Stockton Groundwater Wells produced 1,118 AF and the City of Stockton Treatment Plant processed 0 AF

G. DIRECTOR REPORTS

1. Anders Christensen's Retirement Dinner, 6:00 p.m., 02/08/24

President Atkins, Director Sanguinetti and Manager Hopkins attended Anders Christensen's Retirement Dinner on February 8th. Mr. Christensen was presented with a gift honoring his accomplishments during his tenure.

Director Panizza thanked staff for recognizing him on his birthday.

Director Panizza stated he received a postcard from the District with information on the State Water Energy & Efficiency (SWEEP) Block Grant Program. Director Panizza stated the postcard was well put together.

H. COMMUNICATIONS

I. AGENDA PLANNING/UPCOMING EVENTS

1. Eastern San Joaquin Groundwater Authority Steering Committee Meeting, 8:30 a.m., 02/14/24
Manager Hopkins reported this meeting was cancelled.
2. Eastern San Joaquin Groundwater Authority Board Meeting, 10:30 a.m., 02/14/24
Manager Hopkins reported this meeting was cancelled.
3. CVP Water Association – Executive and Financial Affairs Committee Meeting, 10:00 a.m., 02/16/24
4. District Holiday – President's Day, 02/19/24

Director McGurk reported the San Joaquin County Flood Control and Water Conservation District Water Advisory Committee Meeting on February 21st has been cancelled.

J. REPORT OF THE COUNSEL

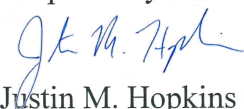
1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Potential exposure to litigation – Government Code Section 54956.9 – three cases

President Atkins adjourned the meeting to closed session at 2:45 p.m. The regular meeting reconvened at 3:20 p.m., with no reportable action.

K. ADJOURNMENT

President Atkins adjourned the meeting at 3:21 p.m.

Respectfully submitted,



Justin M. Hopkins
Secretary of the Board

hmw

