

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, APRIL 2, 2019 AT 12:00 NOON

A. PLEDGE OF ALLEGIANCE AND ROLL CALL

President Panizza called the regular meeting to order at 12:22 p.m., and Director McGurk led the Pledge of Allegiance.

Present at roll call were Directors Atkins, Cortopassi, McGaughey, McGurk, Panizza and Watkins. Director Sanguinetti was absent. Also present were Manager Moody, Assistant Manager Lee, Finance Director Vega, 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 03/26/19 Regular Meeting

A motion was moved and seconded to approve the March 26, 2019 Regular Meeting Minutes, as presented.

Roll Call:

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

2. Warrants

- a. Fund 56 – Construction Fund
- b. Fund 68 – Municipal & Industrial Groundwater Fund
- c. Fund 70 – Administration Fund
- d. Fund 71 – Water Supply Fund
- e. Fund 89 – Fish Passage Improvements Fund
- f. Fund 91 – Vehicle Fund
- g. Fund 94 – Municipal & Industrial Fund
- h. Petty Cash
- i. SEWD Checking
- j. Summary
- k. Short Names/Acronym List
- l. SEWD Vehicles & Heavy Equipment

Director McGurk inquired on the expense on page 13, line item 16 for FishBIO for Jan 2019 Consulting Calaveras RST monitoring in the amount of \$32,219.62 asking what the acronym RST stands for. Director Cortopassi replied Rotary Screw Trap.

Director Cortopassi inquired on the expense on page 14, line item 34 for iPromoteu for Promotional Items for Stockton Earth Day Festival in the amount of \$5,208.75. Manager Moody

replied this is an expense from Kristin Coon, Water Conservation Coordinator, as part of the SAWS group. Part of her purchase was for hose nozzles as part of the water conservation message to remember to shut the flow off on the hose.

Director Cortopassi inquired on the expense on page 15, line item 21 for USACE Finance and Accounting for New Hogan Contract water storage O&M 2019 in the amount of \$694,676.29. Manager Moody replied the District is billed and then we bill Calaveras County Water District for their portion. Director Cortopassi inquired if the cost has gone up. Finance Director Vega replied no, they bill in 5-year cycles, so the cost remains the same during that cycle.

Director McGurk inquired on the expense on page 15, line item 6 for McCrometer, Inc. for Meters for New Hogan System in the amount of \$27,662.79. Manager Moody replied the District's previous Assistant General Manager, opened a purchase order for meters to prepare for SB88 compliance. Part of the meters were ordered in July and these were the remaining meters that were ordered in December. Manager Moody reported he has spoken with those involved in ordering the meters and informed them that no more meters should be purchased, as the Board has not yet approved the type of meter they would like to use going forward. Director McGurk inquired if these meters are suitable for how the District plans to use meters moving forward. Manager Moody replied yes, they send readings to the cloud; from there staff can pull that data and supply it to the SWRCB to remain compliant with SB88.

A motion was moved and seconded to approve the April 2, 2019 Warrants, as presented.

Roll Call:

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

3. Revised Rule No. 120 – Mandatory Required Notice to District by Owner of Diversion of Stream Delivered Water

Manager Moody provided the Board with Revised Rule No. 120 regarding Mandatory Required Notice to District by Owner of Diversion of Stream Delivered Water. Manager Moody reported the Agriculture Operations Committee has met and reviewed this document twice and is now ready for Board consideration and approval.

Manager Moody reported before staff takes any action on the items outlined in the Rule No. 120, they will bring all information to the Board. Manager Moody added that Legal Counsel Zolezzi has reviewed and agreed with the language.

Director Cortopassi inquired if this Rule should be sent out to landowners after it has been adopted. Manager Moody advised it is at the Board's discretion how this Rule should be disseminated. Manager Moody added there was discussion about replacing the AG pump stickers to remind landowners to call before pumping water.

Director Watkins reported Section B of the Rule states that the Board can impose a fine between \$100-\$500; however, the specific fines for each failure of notification is specified. Legal Counsel Zolezzi replied fining landowners or not is ultimately at the Board's discretion; however, Sections C and D outline charges that landowners should prepare for if they fail to notify the District prior to pumping.

Director Cortopassi inquired if the stickers can identify the date Rule No. 120 was adopted by the Board so landowners are aware of the recently adopted Rule. Manager Moody replied the stickers can be modified however the Board chooses.

Director McGurk inquired if Rule No. 102 in Section J is a typo. Manager Moody replied no, the Rules listed in that section are those that were consolidated within Rule No. 120.

Director Watkins inquired if out of District water users are bound by our Rule. Legal Counsel Zolezzi replied yes, if we are under contract with an out of District water user, they must comply with our Rules. If the District is not under contract, those taking water can be sent a Cease and Desist letter to stop pumping water.

A motion was moved and seconded to adopt Revised Rule No. 120 – Mandatory Required Notice to District by Owner of Diversion of Stream Delivered Water, as presented.

Roll Call:

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

4. United States Files Lawsuit Against California State Water Resources Control Board For Failure To Comply With California Environmental Quality Act, United States Department of Justice, 03/28/19

Manager Moody provided information on the United States filing a lawsuit against the State Water Resources Control Board (SWRCB). Manager Moody reported the United States Department of the Interior (DOI) filed suit on behalf of the United States Bureau of Reclamation against the State Water Resources Control Board regarding the Substitute Environmental Document.

Legal Counsel Zolezzi reported the DOI filed state action regarding CEQA matters and the federal action is regarding the effects on the New Melones.

Legal Counsel Zolezzi reported she is working on a draft complaint to bring to the Board for consideration now that this suit has been filed. This item was for information only.

E. COMMITTEE REPORTS (None)

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 04/01/19

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 212,105 AF in storage at New Hogan Reservoir. Current releases are set at 45 cfs. There is 1,996,253 AF in storage at New Melones Reservoir. Current release at Goodwin Dam to Stanislaus River are set at 4,507 cfs and release to all water users are set at 5,076 cfs. There are no irrigator(s) on New Hogan, New Melones or Out-of-District. The water treatment plant is currently processing 17 mgd. The City of Stockton is currently processing 16 mgd.

Manager Moody reported that as of yesterday the United States Army Corps of Engineers has honored the District's request to reduce flows to 20 cfs to begin to dry the land to begin preparation of McGurk's Dyke.

2. Information Items:

Manager Moody noted items: F2a-1, F2a-2, F2a-3 and F2a-4.

3. Report on General Manager Activities

a. Stockton East Water District Activities Update

Manager Moody reported the District has received the annual invitation to F&M Bank's night at the ballpark, which will be held on April 18th. If the Board is interested in attending RSVPs are due to staff by April 4th. In the past, if the Board has had no interest in attending, staff has been given the tickets.

Manager Moody reported the swallows have begun to nest at the Tainter Gate site. Work on the Tainter Gates will be postponed until September. The U.S. Army Corps of Engineers has requested their contractor evaluate and advise whether they can finish the remainder of the Project in the Fall. Manager Moody advised once he has any further information it will be brought to the Board.

G. DIRECTOR REPORTS

1. San Joaquin Farm Bureau Federation Linden & Colleeville Farm Centers – Annual Dinner Meeting, 03/28/19

Directors McGurk, Sanguinetti, Watkins and Manager Moody attended the March 28, 2019 San Joaquin Farm Bureau Federation Linden & Colleeville Farm Centers – Annual Dinner Meeting. Director Watkins reported there were ~50-60 attendees. Director McGurk reported Manager Moody was asked to speak at the event with little notice or preparation and presented a thorough high caliber overview of the current water issues that the District is working on. The presentation was well done and had no questions from the audience. Director Watkins reported Colleeville is no longer in the negative; they now have \$400 in their account. Manager Moody reported there were not many younger faces in the audience. At some point, the younger generation will need to step forward as they will have the voice regarding water issues. Director Watkins reported Sheriff Deputy's spoke about the rural crime and task forces that are being put together to help in this area. Director Sanguinetti provided an update on the California Farm Bureau and new legislation California is imposing.

H. COMMUNICATIONS (None)

I. AGENDA PLANNING/UPCOMING EVENTS

1. Greater Stockton Chamber of Commerce Monthly Mixer – Family Resource & Referral – Center Joan Richards Learning Village Pre-School, 5:15 p.m., 04/04/19

2. ACWA State Legislative Committee Meeting, 10:00 a.m., 04/05/19

3. AD HOC Meeting with Central San Joaquin Water Conservation District, 3:00 p.m., 04/05/19

4. San Joaquin County & Delta Water Quality Coalition Meeting, 9:00 a.m., 04/08/19

Director McGaughey inquired how the negotiations are coming along with Central. Manager Moody replied they have been give draft documents for review. He believes those documents will be the topic of conversation at the upcoming AD HOC Meeting.

J. REPORT OF THE COUNSEL

1. Closed Session: REAL PROPERTY – GOVERNMENT CODE
SECTION 54956.9 – Property: Water Rights
Agency Negotiator: Scot A. Moody /Karna E. Harrigfeld
Negotiating Parties: Oakdale Irrigation District/South San Joaquin Irrigation District
Under Negotiation: Water Transfer

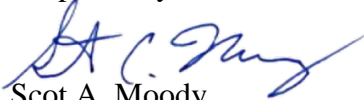
2. Closed Session - Potential Litigation
Government Code 54956.9 (c) – one case

President Panizza adjourned the meeting to closed session at 12:52 p.m. to discuss closed session agenda items. The regular meeting reconvened at 1:24 p.m., with no reportable action.

K. ADJOURNMENT

President Panizza adjourned the meeting at 1:25 p.m.

Respectfully submitted,



Scot A. Moody
Secretary of the Board

tbc

