

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 24, 2018 AT 12:00 NOON

A. PLEDGE OF ALLEGIANCE AND ROLL CALL

President McGurk called the regular meeting to order at 12:21 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, District Engineer Lee, Finance Director Vega, Administrative Services Manager Carido, Administrative Clerk Curtis and Legal Counsel Zolezzi and Consultant Barkett.

B. CONSENT CALENDAR

President McGurk requested that the Board remove Agenda Item D-3, North Site Groundwater Recharge Project Presentation as it needs to go to the Agriculture Operations Committee prior to bringing it to the Board for consideration and approval.

A motion was moved and seconded to remove Agenda Item D-3, North Site Groundwater Recharge Project Presentation on the April 24, 2018 Regular Board Meeting Agenda

Roll Call:

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

Nays: None

Abstain: None

Absent: None

C. PUBLIC COMMENT (None)

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Minutes 04/17/18 Regular Meeting

Director Watkins made the following edit to the minutes:

- Page 1, section A, 2nd paragraph, 2nd sentence – strike “were absent” and replace with “and Manager Moody were in Washington D.C. for the San Joaquin Council of Governments One Voice Trip”.

The consensus of the Board was to make Director Watkins edits to the approved Minutes.

A motion was moved and seconded to approve the April 17, 2018 Regular Meeting Minutes, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

2. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the April 24, 2018 Warrants – California Public Employees’ Retirement System, as presented.

Roll Call:

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

3. North Site Groundwater Recharge Project Presentation

This item was removed from the agenda.

4. City of Lathrop Department of Public Works – Notice of Basin Boundary Modification Request, 03/14/18

Manager Moody provided the Board with information on the Notice of Basin Boundary Modification Request from the City of Lathrop Department of Public Works. Director Panizza reported this item was discussed at the April 17th Regular Board Meeting under the Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority Meeting (JPA) report. The discussion last week concluded the City of Lathrop’s exit from the Eastern San Joaquin Sub-basin would not be in the best interest of the other entities within this Sub-basin.

Director Sanguinetti reported he spoke with Stephen Salvatore, City Manager for the City of Lathrop and explained that if the City of Lathrop wants to move to the Tracy Sub-basin, then they should get all of their water from west of the San Joaquin River, if not, they should be included in the Eastern San Joaquin Sub-basin. Director Sanguinetti reported the City of Lathrop will not know how much water South San Joaquin Irrigation District (SSJID) can supply them if the unimpaired flow criteria is enacted.

Director Watkins commented that moving the boundary line could in turn make Tracy’s Sub-basin critically over-drafted. Director Panizza reported it does not work like that based on state rules. Manager Moody added Bulletin No. 118 defines what is determined critical versus non-critical.

San Joaquin County Senior Engineer, Mike Callahan reported the deadline for submissions to the Department of Water Resources (DWR) will be sometime in June. The deadline is followed by a 30-day comment period for agencies to weigh on formally. Director Panizza suggested the Board may want to consider formally opposing the City of Lathrop’s exit.

Director Watkins inquired if we know what other entities within the Eastern San Joaquin Sub-basin are planning to do. Manager Moody reported the discussion at the JPA Meetings have been seemingly in opposition of the exit. Director Panizza added two larger water Districts have indicated clear opposition and the City of Stockton is taking a wait and see approach.

Director Watkins reported if the City of Lathrop is allowed to leave, then the rest of the entities have to absorb their portion of the costs. Director Panizza replied the City of Lathrop has agreed to pay their portion until 2020 to help offset the costs, even if they move to Tracy’s Sub-basin.

President McGurk reported Brandon Nakagawa received a call requesting the County calculate pumping numbers and compare the basin's water balance. This information will be presented at the Technical Groundwater Model Workshop on April 25th.

Director Sanguinetti advised looking at the City of Lathrop's historic use as they have not always used surface water.

Director Panizza inquired if the County is doing a projection on both the City of Lathrop's wells and the wells in the surrounding area that may go with the City of Lathrop should they exit. Mr. Nakagawa replied whatever the groundwater demand (in and around the Lathrop area and within the basin) it will be evaluated.

Mel Lytle, City of Stockton, reaffirmed the City's thoughts, which are; that historic use needs to be considered as a potential impact on the basin, how future surface water use can be used as a solution to the drought, the cumulative effects of groundwater contamination in that area, and how the water quality issue in that area needs to be considered. The City also believes that the City of Lathrop be creating a precedence for others to follow, including other agencies that border other basins.

A motion was moved and seconded to approve sending a letter to the Department of Water Resources in opposition of the City of Lathrop moving to the Tracy Sub-basin at the appropriate time.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

5. Resolution No. 18-19-01 – Amending Resolution No. 01-02-18 Relating to Board and District Procedures and Organization

Manager Moody provided the Board with Resolution No. 18-19-01 – Amending Resolution No. 01-02-18 Relating to Board and District Procedures and Organization. Manager Moody reported the intent of the amended resolution was in thinking about when a group of Director's are scheduled to be away from a Regular Board Meeting. If a Director scheduled to attend the Regular Board Meeting fell sick there would be no quorum to approve warrants and pay vendors. Manager Moody reminded the Board this event has not yet occurred; this is just a precautionary measure.

Director Sanguinetti advised if there is not a quorum at the Regular Board Meeting, the Directors offsite could conference call into the meeting to create the quorum. Director Watkins added the remote conference call with the offsite location listed would need to be agendized prior to the meeting to comply with the Brown Act.

Director Panizza inquired if a conference call would comply with all Brown Act requirements. Legal Counsel Zolezzi replied yes, so long as it has been put on the agenda and is open to the public at the offsite location.

President McGurk inquired what the downside would be to adopting the amended resolution. Director Sanguinetti replied approving the warrants should be the responsibility of the whole Board, not just one member.

Consensus of the Board was to not amend Resolution No. 01-02-18.

E. COMMITTEE REPORTS

1. San Joaquin County Flood Control and Water Conservation District Advisory Commission Meeting, 04/18/18

President McGurk attended the April 18, 2018 San Joaquin County Flood Control and Water Conservation District Advisory Water Commission (AWC) Meeting. President McGurk reported Brandon Nakagawa is requesting support of at least 75% of Groundwater Sustainability Agencies (GSAs), municipalities, local agencies, and public water systems on the proposed detachment of Eastern Contra Costa County and a portion of Alameda County from the Tracy Sub-basin. Director Watkins inquired where they want to move. Mr. Nakagawa replied they would like to create their own Sub-basin. President McGurk reported Mr. Nakagawa received at least 75% support, so he will be sending out a letter. Agencies should expect to receive a postcard with the information and to return the postcard in support of the segregation should each agency choose. The consensus of the Board was to return the postcard in support. President McGurk reported there was an update provided on the Integrated Regional Water Management (IRWM) Disadvantaged Community Grant Funding. Mr. Nakagawa is determining if the IRWM should be kept with the Groundwater Basin Authority (GBA) group or the AWC. Mr. Nakagawa has requested the AWC send their support of placing the IRWM in the control of the AWC to the County Supervisors. Director Panizza reported previously that conducting the IRWM when housed with the GBA, all of the GBA members in the area were affected by the IRWM. If this is turned over to the AWC, some members could be voting on items that do not affect them. President McGurk replied it has been evaluated and those in the GBA are part of the AWC, so they will still get a say in the IRWM. Manager Moody reported the District would not necessarily want an agency voting on something that could affect the District if they have nothing to do with what is being voted on. Mr. Nakagawa reported the purpose of this item and evaluating whether the IRWM is in the right place is because the IRWM grant applications need to be more competitive. There were a lot of points left on the table with the old application because they were focused on groundwater recharge as a major goal. Our applications lost points for flood control, habitat, and disadvantaged communities that could have been claimed if more competitive. Consultant Barkett added that SJAFCA has recently allowed everyone to vote on all issues, whether they are affected by them or not. There is an agreement that if it is not your project, there should be no reason to oppose it. There is an advantage to larger groups for earning points and funding. President McGurk reported there was discussion on ownership issues at the northern portion of the Smith Canal. The United States Army Corps of Engineers (USACE) donated a segment of parcel that was lost in the shuffle until recently. There is dispute if the recently found land can be added as part of the Smith Canal Project. President McGurk reported Shelly Lima will now be leading the Office of Emergency Services for Flood Control. The next meeting is scheduled for May 16, 2018.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 04/23/18

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 223,277 AF in storage at New Hogan Reservoir. Current releases are set at 29 cfs. There is 2,057,828 AF in storage at New Melones Reservoir. Current release at Goodwin Dam to Stanislaus River are set at 1,504 cfs and release to all water users are set at 2,243 cfs. The water treatment plant is currently processing 22 mgd. The City of Stockton is currently processing 13 mgd.

Manager Moody reported all weirs will be installed by end of business by Friday, April 27th. Staff is starting to charge the system as of today.

2. Information Items:

Manager Moody noted items: F2a-1, F2a-2, F2a-3, F2a-4, F2a-5, F2a-6, F2a-7, F2a-8 and F2a-9.

3. Report on General Manager Activities

a. ACWA State Legislative Committee Meeting, 04/13/18

Manager Moody attended April 13, 2018 ACWA State Legislative Committee Meeting. There was nothing to report. The next meeting is scheduled for May 4, 2018.

Manager Moody advised the Board that the District received 8 tickets for the F&M sponsored baseball game on Friday, May 4, 2018. Manager Moody requested that the Board provide their RSVPs to him if they are interested in attending.

Manager Moody reported North San Joaquin Water Conservation District (NSJWCD) requested District staff look at their system and determine if our staff can operate their system this water year. Assistant Manager Johnson advised Water Operations Manager Wunderlich and Water Supply Supervisor Donis looked at the system. It is not a complicated operation, however, given the location; it would require at least an hour drive each way every day to make adjustments. Assistant Manager Johnson reported he is not sure if the District has the work force that can support their needs at this time. Manager Moody advised his suggestion would be to respectfully decline the offer. Legal Counsel Zolezzi advised the District running their system would go a long way toward a future consolidation with NSJWCD. Director Sanguinetti added this could help relations among our District and others. Director Cortopassi inquired if the District's Water Supply Department would run the system. Manager Moody replied yes.

Manager Moody advised staff can look into who may live in that area and be able to stop in on their way into work and home from work each day. Manager Moody advised staff will do more research and provide further information to the Board.

H. DIRECTOR REPORTS

1. San Joaquin Council of Governments 2018 One Voice Trip, 04/14/18 – 04/19/18

Directors Atkins, Sanguinetti, Watkins and Manager Moody attended the 2018 San Joaquin Council of Governments (COG) One Voice Trip to Washington D.C. Director Sanguinetti reported it was a good flight. Director Sanguinetti reported the group met with the United States Bureau of Reclamation (USBR) to discuss unimpaired flows and the Ability to Pay Study (ATP). The group met with Senator Kamala Harris' Legislative Counsel Monica Pham. They also met with Senator Dianne Feinstein's Legislative Director John Watts; Congressman McNerney and Congressman Denham's Congressional Staff John Mark Kolb, where they discussed the ATP Study in all meetings. The representatives will keep trying to push the USBR on this issue. Director Sanguinetti reported Consultant Boesch organized a lunch for the group to meet with Susan Wheeler, Chief of Staff to Idaho Senator Mike Crapo at the Senate Dining Room in the Capitol. Manager Moody reported the group was busy enough this year with appointments that they were unable to attend many of the COG organized meetings. Director Cortopassi inquired if unimpaired flows is a State Water Board issue. Director Watkins replied yes, but the USBR holds the water right so they argue on behalf of Districts. Director Sanguinetti reported the group attended a dinner cruise on the Potomac on Sunday evening and attended the RTD sponsored dinner on Monday evening as well as the Monuments at Night Tour following the dinner. The group also attended the Port of Stockton

hosted dinner on Tuesday evening. Director Watkins reported the group had dinner with Consultant Boesch and his wife Jacqueline on Wednesday evening. Director Watkins advised Manager Moody should send a follow-up letter or email to the representatives they met with to inquire where things stand since they last met.

2. 29th Annual City of Stockton Earth Day Festival – Victory Park, 04/22/18
Nothing to report.

H. COMMUNICATIONS (None)

I. AGENDA PLANNING/UPCOMING EVENTS

1. San Joaquin Farm Bureau Federation – Water Committee Meeting, 5:30 p.m., 04/24/18

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 - Real Property Negotiations
Government Code 54956.8

President McGurk adjourned the meeting to closed session at 1:33 p.m. to discuss closed session agenda items. All District staff were excused from the closed session meeting, with the exception of Manager Moody, at 2:27 p.m. The regular meeting reconvened at 2:40 p.m., with no reportable action.

K. ADJOURNMENT

President McGurk adjourned the meeting at 2:41 p.m.

Respectfully submitted,



Scot A. Moody
Secretary of the Board

tbc

