

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, OCTOBER 5, 2021 AT 12:30 P.M.

**A. PLEDGE OF ALLEGIANCE AND ROLL CALL**

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

Present at roll call at the District were Directors Atkins, McGaughey, McGurk and Watkins. Also present were Manager Moody, Assistant Manager Hopkins, Finance Director Vega, District Engineer Evensen, Administrative Clerk Feliciano and Legal Counsel Zolezzi. Present at roll call via teleconference was Director Panizza. Director Sanguinetti joined via teleconference at 12:38 p.m. Director Cortopassi was absent. Also present via teleconference was Consultant Barkett.

**B. CONSENT CALENDAR (None)**

**C. PUBLIC COMMENT (None)**

**D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS**

1. Action Item: Stockton East Water District Board of Directors Reconsidered the Circumstances of the State of Emergency and Determine that
  - (i) The State of Emergency continues to directly impact the ability of the members to meet safely in person and/or
  - (ii) State or Local Officials continue to impose or recommend measures to promote social distancing.

Manager Moody presented the Board of Directors with the Action Item regarding Assembly Bill 361 Open Meetings: State and Local Agencies: Teleconferences as approved by the Governor on September 16, 2021. Manager Moody explained the Action Item will be added to the agenda every thirty days on the first meeting of the month for the Board of Directors to approve sections (i) and (ii).

Director McGurk inquired if this is only for the state of California. Manager Moody replied yes. Manager Moody added it creates an issue for entities that do not meet monthly; according to Assembly Bill 361, after the first meeting in October to establish the State of Emergency, the entity must recertify every thirty days.

President Watkins suggested the District contact Association of California Water Agencies (ACWA) to push to make it permanent. Legal Counsel Zolezzi commented the state of emergency has to be present and is a temporary Bill expiring in 2022.

A motion was moved and seconded to approve the Action Item: Stockton East Water District Board of Directors Reconsidered the Circumstances of the State of Emergency and Determine that (i) The State of Emergency continues to directly impact the ability of the members to meet safely in person and/or (ii) State or Local Officials continue to impose or recommend measures to promote social distancing, as presented.

Roll Call:

Ayes: Atkins, McGaughey, McGurk, Panizza, Watkins

Nays: None

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~~Draft~~Approved

Abstain: None  
Absent: Cortopassi, Sanguinetti

2. Minutes 09/28/21 Regular Meeting

A motion was moved and seconded to approve the September 28, 2021 Regular Board Meeting Minutes, as amended.

Roll Call:

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

3. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the September 28, 2021 Warrants, as presented.

Roll Call:

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

4. Dr. Joe Waidhofer Drinking Water Treatment Plant – Electrical Motor Control Center Replacement (MCC-2M System) Project Memo, 10/05/21

Assistant Manager Hopkins reported this fiscal year Staff budgeted to replace the MCC-2M which powers the sedimentation basin and flocculators. Assistant Manager Hopkins reported the District published a Request for Proposals (RFP) in an effort to acquire an electrical engineer to perform the design work ahead of the construction work; seven firms were contacted directly and the RFP was published on the District’s website, only one proposal was received from JSP Automation. Assistant Manager Hopkins added JSP Automation’s proposal cost for design was \$31,300; Staff requested the Board of Directors approve the execution of a professional services agreement with JSP Automation for the proposal cost plus a 10% contingency, for a total amount of \$34,430.

President Watkins inquired if this is on the original sedimentation basin and not the newly constructed sedimentation basin. Manager Moody replied it controls both.

Director McGurk inquired if the design is preliminary according to the summary in the memo. District Engineer Evensen replied there are phases; preliminary, 50% and 90%; the cost is for the complete design. Director McGurk inquired how many engineers will be assigned to this project. District Engineer Evensen replied there are at least two electrical engineers.

Director Atkins inquired if there are more companies or if JSP Automation usually does this type of work for the District. Assistant Manager Hopkins replied JSP Automation has worked for the District in the past and they are eager to do more work for us; the request for proposals was sent out to other companies but the issue is most companies are holding out for bigger more costly projects.

President Watkins inquired if Staff is happy with the past work JSP Automation has done for us. District Engineer Evensen replied yes.

A motion was moved and seconded to award a Professional Services Agreement with JSP Automation to replace the Electrical Motor Control Center (MCC-2M) in the amount of \$31,300 plus a 10% contingency, in a total amount of \$34,430, as presented.

Roll Call:

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

5. Stockton East Water District – Tunnel Outlet Flow Measuring Flume Project Memo, 10/05/21  
Manager Moody reported the Board of Directors approved publishing a Request for Bids (RFB) for the Tunnel Outlet Flow Measuring Flume Project, the results were not favorable; the project was budgeted for \$364,000 and the single bid submitted was for \$1.475 million. Manager Moody explained the reason for the high bid was due to the tight timeframe to complete the project with the shutdown of New Melones and the hike in the cost for materials.

Director McGaughey inquired if the District can legally go out to bid for the same project again in the future. Manager Moody replied yes, we are recommending we reject the all bids and publish an RFB at a later date when the timeframe is longer and hopefully the cost of materials have gone down. Manager Moody added Staff and Committees will have to meet to fit the project into the budget and reevaluate the cost it takes to complete the project.

Director McGurk inquired if the project has to get done in the next year or if it can wait two to three years. Manager Moody replied the contract with Tri-Dam requires we accurately measure the water coming out of the tunnel and it is currently being measured inaccurately; it is inaccurate as much as 30%. Manager Moody commented this project was planned to accurately measure the water but other more cost-effective options can be researched to avoid putting in a concrete or metal flume.

Director Panizza inquired if the design and estimate has been done for this project. Assistant Manager Hopkins replied Cal Poly ITRC created a preliminary design and Staff estimated the cost based on the cost of materials in July 2020. District Engineer Evensen reported steel has gone up 36% since July 2020 and the contractor marked up the cost of concrete four times what it should be.

Director Atkins inquired if there was a meter at the tunnel inlet. Manager Moody replied there may have been one a long time ago. Director Atkins inquired if a meter could be placed there to rectify the inaccurate measurement of water. Assistant Manager Hopkins explained the inlet does not flow full and a meter would be inaccurate. President Watkins added there is not an easy access in that area to maintain a meter.

A motion was moved and seconded to reject all bids submitted for the Stockton East Water District – Tunnel Outlet Flow Measuring Flume Project, as presented.

Roll Call:

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

6. Stockton East Water District – 2021 Dam Removal Temp Labor Memo, 10/05/21  
Manager Moody reported the San Joaquin County Sheriff Department Community Corps service is not available to help with dam removal this year due to COVID-19 restrictions. Manager Moody reported farm labor will be the most cost-effective to hire temporary labor to remove the dams as well as use construction staff to get the work done in time. Manager Moody explained Staff reached out to three companies for temporary labor and farm labor is the most cost-effective in comparison to the other two with a total cost of \$11,760.

Director Atkins inquired if other vendors were contacted. Manager Moody replied Chris contacted other vendors but it is a difficult time of year to acquire farm labor but Chris found a contact that can provide him with laborers. This item was for information only.

#### **E. COMMITTEE REPORTS (None)**

1. San Joaquin Farm Bureau Federation – Water Committee Meeting, 09/28/21  
Directors Sanguinetti, Watkins and Manager Moody attended the September 28, 2021 San Joaquin Farm Bureau Federation – Water Committee Meeting. Manager Moody reported the meeting was virtual for everyone but a few committee members participated in person. Manager Moody reported discussion on district reports to share status on each district; Dante discussed litigation and the remaining district discussed ending irrigation season and harvest. Manager Moody reported discussion on the Sustainable Groundwater Management Act (SGMA) and where all the districts are in that process and emergency curtailment and responding to the State Board’s letter. President Watkins commented the list of those that have not responded were around 3,000 and included some districts. The next meeting is scheduled for October 26, 2021.
2. Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority – Special Board Meeting, 09/30/21  
Director Panizza and Manager Moody attended the September 30, 2021 Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority – Special Board Meeting. Director Panizza reported discussion on Assembly Bill 361 Open Meetings: State and Local Agencies: Teleconferences and a presentation from Neumiller & Beardslee. Director Panizza reported Neumiller & Beardslee expressed their thoughts about AB 361 being poorly written and confusing and did not consider all entity’s meeting schedules. The Eastern San Joaquin Groundwater Authority Joint Exercise of Powers Authority Board decided not to act on Assembly Bill 361 and will revisit the topic at their next meeting. Manager Moody added Neumiller & Beardslee thought all standing committees of the regulatory agencies would have to do these findings every thirty days if they meet by teleconference. The next meeting is scheduled December 8, 2021.

#### **F. REPORT OF GENERAL MANAGER**

1. Water Supply Report as of 09/27/21  
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 88,145 AF in storage at New Hogan Reservoir. Current releases are set at 15 cfs. Current release at Goodwin Dam to Stanislaus River are set at 201 cfs and release to all water users are set at 70 cfs. There are 3 irrigator(s) on New Hogan and 0 irrigator(s) on New

Melones. There are currently no Out-of-District irrigator(s). The water treatment plant is currently processing 27 mgd. The City of Stockton is currently processing 22 mgd.

2. Information Items: (None)

3. Report on General Manager Activities

a. Stockton East Water District Activities Update

Manager Moody queried the Board as to who would like to attend the Annual San Joaquin County Agricultural Hall of Fame Dinner. Directors McGurk, Sanguinetti and Watkins will attend.

Manager Moody reported he received a call from the District's regulator at Division of Drinking Water, Bhupinder Sahota to discuss draconian cuts for curtailment and mandatory water reduction; he was interested if the District had acknowledged the curtailment, where we got our water from and if we were affecting the Delta. Manager Moody reported Bhupinder Sahota was pleasantly surprised to learn the District is diverting from storage. Manager Moody added the Division of Drinking Water is checking on all their systems will be negatively affected soon but hopefully not for us.

Director McGurk inquired if the call was concerning water retailers and what will be done after the water is treated. Manager Moody replied the call was made because he knows more than the District knows about what the Governor is going to do with curtailments and mandatory conservation and he is making his calls to make sure we can respond should we get curtailed. Manager Moody reported he told Bhupinder Sahota depending on what this winter brings; the District is fairly close between Ag and M&I to having a normal year if we get a couple days of rain; M&I will definitely have water next year.

Director McGurk inquired what the plans are for the State. Manager Moody replied he did not elaborate on that. Director McGurk inquired why eight counties were not declared as in an emergency drought. Manager Moody replied those counties are down south; the ACWA President during a call about the water year said their reservoirs are all full.

**G. DIRECTOR REPORTS** (None)

**H. COMMUNICATIONS**

1. Greater Stockton Chamber of Commerce – 2021 Meet Your Chamber Leaders Dinner Thank You, 09/22/21

Manager Moody provided the Board with Thank You correspondence from the Greater Stockton Chamber of Commerce regarding the 2021 Meet Your Chamber Leaders Dinner.

2. Greater Stockton Chamber of Commerce – 36<sup>th</sup> Annual San Joaquin County Agricultural Hall of Fame Thank You, 09/22/21

Manager Moody provided the Board with Thank You correspondence from the Greater Stockton Chamber of Commerce regarding the 36<sup>th</sup> Annual San Joaquin County Agricultural Hall of Fame.

**I. AGENDA PLANNING/UPCOMING EVENTS**

1. Eastern San Joaquin Groundwater Authority Ad-Hoc Technical Advisory Committee (TAC) Meeting, 9:30 a.m., 10/06/21

2. ACWA Agriculture Committee Meeting, 1:00 p.m., 10/07/21
3. Eastern San Joaquin Groundwater Authority – Selection Committee Meeting, 2:00 p.m., 10/08/21
4. District Holiday – Columbus Day, 10/11/21
5. San Joaquin County & Delta Water Quality Coalition Meeting, 9:00 a.m., 10/11/21

**J. REPORT OF THE COUNSEL**

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

President Watkins adjourned the meeting to closed session at 1:03 p.m. to discuss closed session agenda items. District staff, with the exception to Manager Moody and Assistant Manager Hopkins were excused from the closed session meeting at 1:04 p.m. The regular meeting reconvened at 1:14 p.m., with no reportable action.

**K. ADJOURNMENT**

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

Respectfully submitted,

  
Scot A. Moody  
Secretary of the Board

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