

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, JANUARY 24, 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 Director Sanguinetti led the Pledge of Allegiance.

Present at roll call at the District were Directors Atkins, Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Hopkins, Assistant Manager Vega, District Engineer Evensen, Finance Director Ram, Administrative Assistant McKinney, Legal Counsel Zolezzi and Consultant Barkett.

B. CONSENT CALENDAR

None.

C. PUBLIC COMMENT

Leslie Avansino, President of San Joaquin Chapter of California Women for Agriculture, spoke on behalf of the San Joaquin County Fair. Ms. Avansino distributed a packet highlighting the events and exhibits planned for the fair scheduled for June 2-4, 2023. This year, they are planning a historical display of water issues in the community and she asked if the District would like to participate in offering a display of equipment along with a description or historical comment. Sponsorship is also available at various levels.

Director Cortopassi asked if Ms. Avansino would like the contact information for Kristin Coon (SAWS) who the District sponsors. Manager Hopkins stated the contact information will be forwarded to her.

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

President Atkins requested the Board make an emergency addition to the agenda. He stated that the emergency Item (D-4 Handout) is urgent. Legal Counsel Zolezzi stated a 2/3 vote defines the need to consider this item urgent and it must be affirmed that the information came up after the agenda was posted. If these conditions are met, the item can be added to the agenda.

A motion was moved and seconded to add item to the January 24, 2023 Regular Board Meeting Agenda as Agenda Item No. D-4, Agreement Amendment for Emergency Flood Damage Repair on the Upper Farmington Canal (Emergency Item)

Roll Call:

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

1. Minutes 01/17/23 Regular Meeting

A motion was moved and seconded to approve the January 17, 2023 Regular Board Meeting Minutes to include the Emergency Item D-4 (listed below), 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 December 6, 2023 Warrants, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

3. Concrete Construction Steel Form-work Purchase, 01/24/23

Manager Hopkins introduced Assistant Manager Vega to report out. Assistant Manager Vega reported District Staff has held ongoing discussions related to the construction of forms for building concrete structures for the District’s systems. Wood has been used to build the forms and it is expensive and usually discarded after use which is wasteful. After discussions, Maintenance Staff estimated approximately 75% of the time in concrete work lies in the fabrication of the forms, and is 25% (sometimes more) of the total price of the concrete structure. District Staff sought to find a process that is less wasteful and would pay off in the long run, which led to the selection of steel-forms. In consideration of steel forms, adjustments of the forms can be made based on the size of the work and the purchase amount for the steel forms would break-even after five or six completed projects.

Assistant Manager Vega stated in the 2023-24 budget, the Board approved \$450,000 for Highway 4 Trash Racks project which includes the construction of a new concrete structure on the Lower Farmington Canal and screens. The lowest quote for steel forms is \$36,418. District Staff is proposing the purchase of the steel forms at the beginning of the project, leaving \$115,865 for additional supplies for the work to be completed in 2022-2023 fiscal -year. This is a two fiscal-year project with an additional budget of \$250,000 for the 2023-24 fiscal year. Thus, there is sufficient money in this specific project to fund the purchase of these steel forms which will also lower the cost of future project and save concrete form setup time.

Director Watkins stated sometimes the steel forms don’t come out easily after the pour and careful attention must be followed for the concrete pour.

Director Sanguinetti stated a release agent must be used on the steel forms. Director Sanguinetti asked how many feet of steel panels are being purchased at this price. Assistant Manager Vega replied there would be enough for this current project and will report back to the Board the quantity of steel forms being considered for the purchase.

Director Panizza asked if the manufacturer makes any representation as to how long the steel forms will last. Assistant Manager Vega replied District Staff will research references and see if there are any warranties for the steel forms and report back to the Board. Discussion followed.

The Board directed staff bring this item back to the Board for consideration.

4. Agreement Amendment for Emergency Flood Damage Repair on the Upper Farmington Canal, 01/24/23

Manager Hopkins reported last week District Staff was surveying District facilities for flood damage and found a portion of the Upper Farmington Canal embankment near the Goodwin Tunnel Outlet had been washed out due to high rainfall events causing a stormwater corrugated metal pipe (CMP) culvert to fail. Additional photos presented showed the damage. District Staff began assessing the

damage for in-house repairs and concurrently reached out to K.W. Emerson who had already been contracted by the District to install canal lining as part of the Tunnel Flume Meter Project for next fiscal year. K.W. Emerson provided an estimate of \$120,000 to perform the repair work. The photo presentation showed the CMP pipe is 48-inches in diameter with a washed-out embankment approximately 25 feet deep. District Engineer Evensen stated it is more than 25 feet. Manager Hopkins is confident that the District Staff have the skill to make the repairs, but it would tie up the staff for an undetermined length of time, and there is considerable damage to the Lower Farmington Canal which will need to be repaired.

Manager Hopkins is recommending the District issue an amendment to the agreement to have K.W. Emerson perform the repair work for \$120,000 plus a contingency of \$48,000, for a total not-to-exceed of \$168,000. When this amount is added to the existing agreement amount for the lining work, the total approved cost would be \$328,314, which is within the overall project budget of \$364,000. The District should be reimbursed for most of these flood damage costs. There is a declared state of emergency for flooding in Stanislaus County and Manager Hopkins stated the District will be working with Stanislaus County Office of Emergency Services in submitting the reimbursement cost for flood damage. The type of damage to the CMP pipe was discussed. District Engineer Evensen stated the exact damage inside the pipes is unknown at this time. The design plans show that all canal crossings for stormwater drainage are concrete pipes. Discussion followed.

A motion was moved and seconded to authorize the General Manager to approve an amendment to the Construction Services Agreement with K.W. Emerson, Inc., for a revised not-to-exceed cost of \$265,740, plus a combined contingency for any additional unforeseen work of \$62,574, for a total of \$328,314, as presented.

Roll Call:

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

E. COMMITTEE REPORTS

1. San Joaquin County Flood Control & Water Conservation District Advisory Water Commission Meeting, 01/18/23
**This meeting was cancelled **
2. Greater San Joaquin County Regional Water Coordinating Committee Meeting, 01/18/23
**This meeting was cancelled **
3. Staffing Ad-Hoc Committee Meeting, 01/23/23
Director Sanguinetti attended the meeting along with Directors McGurk, Panizza, Watkins and Manger Hopkins and additional staff. A potential labor contract with North San Joaquin Water Conservation District for maintenance and operations was discussed. This contract with specifics, liabilities and cost will come back to the Board for approval. Staffing requests for reclassifying job descriptions for engineering and other selected positions were reviewed. The proposed changes would result in an increase in the Municipal Budget, and a slight decrease to the Agricultural Budget. The committee directed all changes recommended by Manager Hopkins be presented to the Board for approval. The requests will be brought back to the Board for approval.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 01/16/23

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 202,531 AF in storage at New Hogan Reservoir. Current releases are set at 4,446 cfs. There is 952,753 AF in storage at New Melones Reservoir. Current releases are set at 90 cfs. Current release at Goodwin Dam to Stanislaus River are set at 403 cfs and release to all water users are set at 0 cfs. There are 0 irrigators on New Hogan, 0 irrigators on New Melones, and 0 irrigators out of District. The water treatment plant is currently processing 24 mgd. The City of Stockton is currently processing 12 mgd. Manager Hopkins reported the District wells total water extraction is 4,935 gpm (~7 mgd).

Director Cortopassi asked why the District is still using wells. Manager Hopkins replied the District is using the higher water quality to blend with the poor water quality in the Calaveras River which has high turbidity. This stabilizes the water so it is easier to treat. The District is slowly shutting the wells down with the goal of having none on. President Atkins asked if the District is still using the ponds to settle the turbidity, and Manager Hopkins replied all three ponds are in service for this use. Assistant Manager Vega added the main extraction well is being shut down today to see how the water quality reacts.

2. Information Items:

Manager Hopkins noted item: F2a-1, F2a-2, F2a-3 and F2a-4

Director McGurk commented on page 11 of F2a-4 article, bottom paragraph, questioning the veracity of the wording. Manager Hopkins replied a few statements are correct, however, they may be misleading. Manager Hopkins stated there is no backlog of permit applications, but the process takes three to six months to put one permit application together. The District has been working on its permit application since October, and said application might be submitted next month. Director Sanguinetti commented the ground is absorbing water well.

Director McGurk asked if groundwater recharge is not considered beneficial use. Director Watkins replied a groundwater storage permit must be obtained to extract the water. Manager Hopkins added part of the District's permit that will be issued has to show use of the water which was recharged. Legal Counsel Zolezzi added that Merced is doing this by using their existing pumpers, but the pumpers have to sign and acknowledge the water being extracted first is the recharge water.

3. Report on General Manager Activities

a. San Joaquin Office of Emergency Services – Agricultural Drought Task Force Meeting, 01/18/23
Manager Hopkins introduced Assistant Manager Vega to report out. Assistant Manager Vega reported the water year is above normal at ~200% for San Joaquin County. The snowpack in the sierras in some places is upward of 200-300% of normal for this time of year. The five-station precipitation index for the County was high at 15.8” compared to 6.5” of normal in December. In January, it was 13.6” compared to 7.27”. Overall, the outlook is supposed to change from La Niña to neutral conditions.

b. ACWA State Legislative Committee Meeting, 01/20/23

Manager Hopkins reported he attended this meeting. He also reported, that the ACWA DC trip is scheduled for February 28th to March 2nd. A legislative symposium is scheduled for March 22nd, and the registration for the ACWA Spring Conference (May 9-11) is now available. Manager Hopkins reported ACWA is also working with legislators and member districts on a potential climate bond for water projects. They will have to rely on polling numbers to see how the idea of a bond would float since the voters approved a lot of funding back in 2014 for water projects that have yet to be spent.

There were six bills in the bill packet, most of which were not applicable to the District. One proposal for ACWA sponsorship was to change language in the health and safety code to explicitly allow water utilities to assess fixed costs of operation on property taxes. There was a lot of controversy regarding this proposal, so the committee voted to postpone any sponsorship until October. It will be reconsidered for a potential 2024 bill. The water law judge's proposal would create legislation that requires certain judges to be trained in water law, and then assigned water law cases. This was proposed last legislative session and was declined, and was not moved forward. ACWA's legislative committee is proposing an intent bill that will set a deadline for the judicial counsel to establish water law training for judges who are assigned water law cases, and largely allow the judicial counsel to retain control of how they manage the judges. The last bill of any interest is sponsored by ACWA and allows for a pay-to-play process through the Water Board which is similar to the Army Corps 214 Agreement that was previously discussed with the Board. This new legislation, SB23, will allow entities to enter into agreements with the Water Board to fund a position at that agency to review that agency's project permits. Lastly, the upcoming committee meeting for ACWA is on February 15th. ACWA is changing the layout of these meetings to decrease the amount of information that is repeated from committee to committee. The committee meetings will be reduced to 1 hour, 15 minutes long. At the end of all the committee meetings, there will be a session for ACWA's general updates.

- c. CVP Water Association – Executive and Financial Affairs Committee Meeting, 01/24/23
**This meeting was rescheduled from 1/20 to 1/24 at 1:30 **
Finance Director Ram reported the meeting was changed from 1/20/23 to 1/24/23, and District Staff has been delegated to attend.
- d. Stockton East Water District Activities Update
Manager Hopkins reported last week's shutdown (1/18/23) was successful. District Engineer Evensen added a presentation will be offered next week, and added all repair work was completed early.

Director Sanguinetti asked if the chlorine tanks will be empty. District Engineer Evensen replied both systems will be operational for a month to make sure the hypochlorite system is working without any problems. Once that is verified, the gas chlorine system will be shut down.

Manager Hopkins reported the carbon replacement was started last week which will increase the truck activity in the back of the treatment plant. Manager Hopkins added he had a kickoff meeting with Raftelis regarding the District's Strategic Plan, and a tentative meeting has been scheduled for February 6th or 7th for the group kickoff meeting which includes staff and the Board for feedback. This meeting will be confirmed. Finally, the meeting with Dave Eggerton was held this morning. He was interested in District activities, and how ACWA can support efforts. Manager Hopkins stated the District needs money for the Bellota Project and Farmington Dam Project. Mr. Eggerton mentioned the climate bond could include funding for projects such as those of the District.

G. DIRECTOR REPORTS

- 1. Meeting with Representative Josh Harder's Legislative Director, 01/18/23
President Atkins reported discussion was held for possible funding for the Bellota Fish Screens, and Farmington dam. There is a possible trip to DC in March. Consultant Barkett commented he seemed willing to help.

2. Ag Venture Days (Stockton, CA), 01/18/23
Director Sanguinetti reported there were 200 volunteers, and 3,200 students. It was a good turnout, and the next event is in March (Lodi).
3. Town Hall Meeting with Representative Josh Harder, 01/18/23
President Atkins attended along with Directors Panizza, McGurk, Sanguinetti, Watkins and Manager Hopkins.
They discussed water issues and flooding. Discussion followed.

H. COMMUNICATIONS

1. United States Army Corps of Engineers & USACE) – New Hogan Project – Request for Temporary Deviation from Water Control Plan Letter, 01/24/23
Manager Hopkins reported he has been working with USACE staff to prepare a formal request for deviation from the water control manual for New Hogan to allow for the reservation of additional water storage, and to operate off the 6” precipitation curve rather than the 12” precipitation curve they are using. Last week USACE staff stated this request is complete and ready for formal submission. Manager Hopkins requested for the Board’s approval to sign the request. The Board approved Manager Hopkins to sign for the formal submission.

I. AGENDA PLANNING/UPCOMING EVENTS

1. San Joaquin Farm Bureau Federation – Water Committee Meeting, 01/24/23
2. CVP Water Association– Executive and Financial Affairs Committee Meeting, 01/24/23
3. US Bureau of Reclamation – Water Users Conference, Reno, NV, 01/24/23 – 01/27/23
4. Eastern San Joaquin Groundwater Authority Technical Advisory Committee Meeting, 01/26/23
5. Salary Survey Ad Hoc Committee Meeting, 01/30/23

J. REPORT OF THE COUNSEL

1. Closed Session - Existing Litigation
Stockton East Water District vs. City of Stockton, et al.
Government Code 54956.9 (a)
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Section 54956.9 (2 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 2:15 p.m., with the no reportable action.

K. ADJOURNMENT

President Atkins adjourned the meeting at 2:16 p.m.

Respectfully submitted,



Justin M. Hopkins
Secretary of the Board

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Board Meeting – 01/24/23
~~Draft~~ Approved

