

NORTH SAN JOAQUIN WATER CONSERVATION DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS

Lodi Library Community Room, 201 West Locust Street, Lodi CA

**Monday February 29, 2016**

**MINUTES**

**1. Call to Order/Roll Call** - President Valente called the meeting to order at 2:02 PM

President Joe Valente  
Vice President Tom Flinn  
Secretary David Simpson  
Treasurer Hugh Scanlon  
Director Marden Wilber

General Counsel Jennifer Spaletta  
Special Legal Counsel Roger Masuda-Absent  
Consultant Walt Sadler  
Deputy Secretary Shasta Burns

**2. Correspondence/Announcements**

No correspondence/Announcements at this time.

**3. Action Items**

A. Approval of Minutes

Motion to approve the Minutes of the January 25, 2016 Regular Board Meeting, made by Secretary Simpson, second by Vice President Flinn. The motion passed unanimously.

B. Monthly Financial Reports and Invoice/Expense Payments

Treasurer Scanlon reviewed the financial reports, the proposed list of invoices, and expenses to be paid. Treasurer Scanlon expressed the Board remains on schedule with Budget vs. Actuals Reports for proposed annual budget. A motion to pay all invoices for expenses made by Secretary Simpson, and second by Director Wilber. The motion passed unanimously.

C. Tracy Lake Current Financial Reports

Treasurer Scanlon reviewed recent expenditures and account balances with the Board. A motion to pay all remaining invoices for the Tracy Lake Pump Station was made by Director Wilber, and second by Secretary Simpson. The motion passed unanimously.

D. Action to change Comcast telephone services contract

Motion to start paperwork for the reissue of Farmers & Merchants debit card for the General Checking Account, and to proceed to have the Comcast telephone bill become a direct debit bill was made by Treasurer Scanlon, second by Vice President Flinn. The motion passed unanimously.

E. Discussion and Possible Action for the CALFED Pumping Plant/ Nakagawa Agreement  
Discussion led by Secretary Simpson on the current standings with the Nakagawa landowners. A motion to have General Counsel Spaletta and Secretary Simpson join as a committee to present the board with previous pump station usage information, and to resolve and move forward with efforts to continue use of the plant station made by Treasurer Scanlon, second by Vice President Flinn. The motion passed unanimously.

F. Update on DREAM Groundwater Banking Demonstration Project, Direction to staff regarding Landowner Meetings, Operational Agreements, and CEQA- Initial Study Preparation. General Counsel Spaletta gave the update. Two public meetings were held and conducted by General Counsel Spaletta and Secretary Simpson. The meetings were well attended. The purpose of the meetings held were to have a better understanding before the CEQA document is released to the public. The consensus of meetings held is that landowners are generally interested. It was recommended to have one Board Member work on the necessary agreements with General Counsel Spaletta to have concurrence to present to the Board. Secretary Simpson and Vice President Flinn both volunteered. The CEQA document will be available to the public on March 4, 2016 for a 30-day Public Review Period.

G. Tracy Lakes Improvement

- a. Discussion on Tracy Lake Improvement District 2016 Operations Plan and O&M Budget. The coordinating committee has met and presented budget to the Board for review, a motion to accept the 2016 Operations and O & M budget made by Vice President Flinn, second by Treasurer Scanlon. The motion passed unanimously
- b. Consider Imposition of Annual O&M Assessment of \$41,817.62; Landowner Waiver of Notice and Public Hearing and Approval Assessment; **Resolution 2016-03.** Resolution 2016-03 was written and reviewed by Special Counsel Masuda, and handed out at the Board Meeting for review. A motion to accept and approve the Imposition of Annual O&M Assessment of \$41,817.62; Landowner Waiver of Notice and Public Hearing and Approval Assessment was made by Treasurer Scanlon, second by Director Wilber. Roll Call: Vice President Flinn: Aye, Secretary Simpson: Aye, Treasurer Scanlon: Aye, Director Wilber: Aye, and President Valente: Aye. 5:0 vote. The motion passed unanimously.
- c. Consider adoption of the 2016 surface water rates, which rates for the Tracy Lake Improvement District and South System, which rates cannot exceed the rates approved pursuant to the completed Proposition 218 process and rate study from January 2015. **Resolution 2016-04.** Resolution 2016-04 was reviewed but the Board, and will be reviewed again at the March Board Meeting. Consultant Saddler described his recommendations to the Board. No action taken at this time

H. Consider adopting **Resolution 2016-05** to enter an agreement for Ditch Tender and Water Contract Services with Woodbridge Irrigation District.

A motion to have President Valente and Special Counsel Spaletta work with Woodbridge Irrigation District to negotiate an agreement for review for the March 18, 2016 scheduled Board Meeting made by Secretary Simpson, second by Director Wilber. The motion passed unanimously.

I. Sustainable Groundwater Management Act- Groundwater Sustainability Agency (GSA)

- a. Review of GSA Filings- A copy of filings was passed out at the meeting for board review
- b. Update on DWR Basin Boundary Modification Request- Brandon Nakagawa gave a brief update to the board and public.
- c. Update on Draft DWR Regulations- The detailed steps for SGMA and Draft Regulations have been released for comments- due March 25, 2016.
- d. Presentation on GSA Responsibilities and Funding Options made by Special Counsel Spaletta.

J. Mokewise Support Resolution, **Resolution 2016-06**

Resolution 20016-06 is a Resolution of support to Mokewise. A motion to support Resolution 2016-06 for Mokewise was made by Treasurer Scanlon, second by Secretary Simpson. Roll Call: Vice President Flinn: Aye, Secretary Simpson: Aye, Treasurer Scanlon: Aye, Director Wilber: Aye, and President Valente: Aye. 5:0 vote. The motion passed unanimously.

**K. Review possible March 2016 Board Meeting Date change.**

The March 2016 Board Meeting will be held on March 18, 2016. Location TBA, but will be announced to follow the guidelines of the Brown Act.

#### **4. Discussion Items**

- A.** Water Supply conditions- Handout given by General Counsel Spaletta on water supply projections.
- B.** Update of existing system and proposed projects map for website- Map will be supplied by Consultant Saddler at the March Board Meeting.
- C.** South System Rehabilitation Project
  - a. Review Map of South Distribution System Pipeline Segment Status after CCTV Inspection-Consultant Saddler will review at the March Board Meeting.
  - b. Report on Lodi Pump Evaluation of South Pump Station- Consultant Sadler reported that currently efficiencies are low, and are currently investigating why efficiency is low.
  - c. Permitting and Construction Timeline- General Counsel Spaletta gave a brief update of the timeline, and all budgeted items. The project is moving forward.
- D.** Review Board Responsibilities for 2016 Calendar Year- The board will review handout of last year's Board Responsibilities and confirm new roles at the March Board Meeting.
- E.** Form 700's- April 1, 2016 deadline
- F.** Ethics Training Reminder

#### **5. Director and Staff Reports**

- A. Presidents Report –No report at this time.
- B. General Counsel Spaletta – No report at this time.
- C. Consultant Saddler - No report at this time.
- D. Committee Reports – No report at this time.
- E. Other – No reports at this time.

**6. Public Comment on Items not on the Agenda** - No public comments at this time

**7. Closed Session-** The Board entered into closed session at **4:29 p.m.**

Closed Session pursuant to Section 54956.9

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION - One Case  
Administrative Hearings regarding California Water Fix Petitions for Change, Protest

Closed Session pursuant to Section 54956.8

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Easements; Negotiator: General Counsel Jennifer Spaletta and Director David Simpson; Parties: Landowners along district facilities; Under negotiation: Price, terms.

Closed Session pursuant to Section 54956.9(b):

CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION - One

Case

**8. Return to Open Session** – The Board returned to open session at **5:04 p. m.**  
President Valente reported that no reportable action taken.

**9. Adjournment -**  
Motion to adjourn the Regular Board Meeting, made by Director Wilber, second by  
Secretary Simpson. The motion passed unanimously. Meeting adjourned at **5:05 p. m.**

**Next Regular Board Meeting on March 18, 2016, 2:00 PM - 4:00 PM- Location TBA**

ATTEST:

APPROVED:

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David Simpson, Secretary

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Joe Valente, President