

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 26, 2018

REGULAR MEETING MINUTES

1. **Call to Order - Roll Call - Acceptance of Agenda** - The meeting was called to order by President Valente at 2:01 pm. A motion for the acceptance of the Agenda for the meeting of February 26, 2018, made by Secretary Simpson, second Treasurer Starr. Motion passed unanimously. 4/0/1.

President Joe Valente- Area 3
Vice President Tom Flinn- Area 2
Secretary David Simpson – Area 1
Treasurer Charles Starr – Area 4
Director Marden Wilber – Area 5 -Absent

General Counsel Jennifer Spaletta
Special Counsel Roger Masuda - Absent
John Podesta – District Engineer - Absent
Deputy Secretary Shasta Burns

2. **OPEN PUBLIC HEARING:** Proposition 218 Ballot Proceeding regarding proposed levy and collection of an assessment for the South System Groundwater Improvement Project. Mr. Valente opened the Public Hearing at 2:02 pm. Special Counsel Spaletta briefly explained a proper Public Hearing and Public Comments regarding the Ballot Proceeding were discussed. General comments were taken and addressed by NSJWCD Board President and General Counsel. Last call for ballots from President and General Counsel were called at 3:28 pm. A motion to close the public hearing was made by Vice President Flinn at 3:38 pm, second by Treasurer Starr. Motion passed unanimously. 4/0/1.

5:06 pm Mr. Valente called the meeting back to order after a short break while the ballots continued to be counted. 560 Ballots were received and recorded appropriately based on tax assessment dollars. The Proposition 218 Ballot Proceeding regarding proposed levy and collection of an assessment for the South System Groundwater Improvement Project Ballot proceeding did not pass the proper voting requirements to move forward.

3. **Correspondence/Announcements-** General Counsel Spaletta announced mail correspondence received to the District. Three application referrals from the Community Development Department and were reviewed regarding land use issues.

4. Action Items

- A. Approval of the Minutes of the Regular Scheduled Board Meeting on January 29, 2018, and Special Meeting Minutes from February 12, 2018. – A motion to receive and file the Minutes of January 29, 2018 with the correction of the meeting title changing to “Regular Meeting Minutes” and Special Meeting Minutes from February 12, 2018, made by Secretary Simpson, second by Vice President Flinn. Motion passed 4/0/1.
- B. Monthly Financial Reports and Invoice/Expense Payments – Treasurer Starr reviewed the District’s monthly financial reports. A motion to receive and file the

District's monthly financial reports from the county account to the Districts and additional late bills due to The Coloring Book for meeting printing materials \$579.16 and late PG & E Bill to be paid before the next scheduled Board Meeting, made by Vice President Flinn, second by Secretary Simpson. Motion passed 4/0/1.

- C.** Tracy Lake Financial Reports – Vice President Flinn reviewed financial reports and recent expenditures with the Board. A Motion to receive and file Tracy Lakes financial reports made by Vice President Flinn, second by Secretary Simpson. Motion passed 4/0/1.
- D.** Water Supply Conditions Report -General Counsel Spaletta reviewed handout, discussion on required fishery flows that were based on a “wet year” this will change and be reissued on April 1, 2018.
- E.** South System
 - 1. Discussion item for Wednesday, February 28, 2018 at 2:00 pm.
- F.** Dream Project Update – Moving along and construction bids will be brought for Board action. EBMUD testing water on extraction well. Quality is reporting excellent, and still in the planning stages.
- G.** Sustainable Groundwater Management Act GSA Update -
 - 1. Discuss the status of DWR grant for GSP Development- A meeting was held on February 14, 2018. Cost share financing, funding agreement for additional plan, budget adjustments for contingent grant, consultant services agreement discussions, and future action items for the plan were discussed.
 - 2. Discuss the status of JPA Member Contributions and Budget – update given above
- H.** Update on Gallo – Proposed winery project has been conducting well tests, and waiting for the draft Environmental Impact report to come out.
- I.** Receive Results of Proposition 218 Ballot Proceeding from MK Elections – Secretary Simpson read aloud the certification letter from MK Elections LLC summarizing election vote count: 560 Ballots, 325,422.17; NO, 314,119.64; YES. The result of the North San Joaquin Water Conservation Proposition 218 fail. Undeliverable ballots, and replacement ballots were listed. A motion to accept the certification letter received from MK Elections LLC made by Treasurer Starr, second by Vice President Flinn. Motion passed unanimously 4/0/1.

A motion to Adjourn the Regular Board Meeting for the Board of Directors of the North San Joaquin Water Conservation District on February 26, 2018 at 5:25 pm to discuss remaining agenda items on February 28, 2018 at 2:00 pm, at the Lodi Library Community Room, made by Secretary Simpson, second Vice President Flinn. Motion passed 4/0/1.

A motion to discuss Action Items on the February 26, 2018 Regular Board Meeting Agenda on February 28, 2018 at 2:02 pm, with a quorum made up of Vice President Flinn, Secretary Simpson, and President Joe Valente, made by Vice President Flinn, second by Secretary Simpson. Motion passed 3/0/2.

- J.** Consider RESOLUTION 2018-04: RESOLUTION OF THE BOARD OF DIRECTORS SERVING AS TRUSTEES OF IMPROVEMENT DISTRICT NO. 2, KNOWN AS THE SOUTH SYSTEM GROUNDWATER IMPROVEMENT DISTRICT, ORDERING THE LEVY AND COLLECTION OF SPECIAL BENEFIT

ASSEMENT FOR THE SOUTH SYSTEM GROUNDWATER IMPROVEMENT PROJECT – No action

- K. Consider RESOLUTION 2018-05: RESOLUTION OF THE BOARD OF DIRECTORS SERVING AS TRUSTEES OF IMPROVEMENT DISTRICT NO. 2, KNOWN AS THE SOUTH SYSTEM GROUNDWATER IMPROVEMENT DISTRICT AUTHORIZING THE EXECUTION AND DELIVERY OF REVENUE CERTIFICATES OF PARTICIPATION AND APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH AND CERTAIN OTHER MATTERS – No action
- L. Consider RESOLUTION 2018-06: RESOLUTION OF THE BOARD OF DIRECTORS SERVING AS TRUSTEES OF IMPROVEMENT DISTRICT NO. 2, KNOWN AS THE SOUTH SYSTEM GROUNDWATER IMPROVEMENT DISTRICT APPROVING CONSTRUCTION CONTRACT WITH ARNAUDO CONSTRUCTION FOR SOUTH PUMP STATION AND AUTHORIZING NOTICE TO PROCEED – General Counsel Spaletta reviewed history of the pump station, and an evaluation of the terms to proceed. A motion to move forward with a 2 Phase Construction Project for the improvement of the South System Pump Station and South System pipeline rehabilitation, and to have Arnaudo Construction move forward with Phase 1 of the construction project as presented, made by Secretary Simpson, second by Vice President Flinn. Motion passed 3/0/2. Direction was given to General Counsel Spaletta to research financing options and landowner outreach for the purposes of Phase 2 of the South System Rehabilitation Project. Alternative plans and landowner workshops will be held in March for Public Education purposes.
- M. Consider Approval of PGE Payment Coupon for South Pump Station – No action at this time.
- N. Discuss Requests for Proposals for Pipeline Design

5. Director and Staff Reports

- A. President's Report – Time commitments appreciated for all meetings and workshops conducted this month.
 - B. General Counsel Spaletta – Thanked the public for all the input and work put into Special Meetings, and Board Meetings attended. Contacted by Sustainable Conservation and will be connecting regarding partnership and additional projects for the North System and Cal Fed Projects.
 - C. District Manager/Engineer John Podesta – no report at this time
 - D. Committee Reports – no report at this time
 - E. Other – no other reports at this time
- 6. Public Comment on Items Not on the Agenda** – Questions from the public were addressed.
- 7. Closed Session** – The Board entered Closed Session at 3:53 PM on Wednesday, February 28, 2018. President Valente returned the meeting to open session at 4:10 PM. No reportable action was taken.
- 8. Adjournment** - Motion to adjourn the NSJWCD Regular Meeting by Secretary Simpson, second by Director Flinn, motion passed 3/0/2. Meeting adjourned 4:12 PM.

**** The next regular scheduled Board Meeting March 26, 2018, at the Lodi Library Community Room 2:00 PM - 4:00 PM****

The above minutes of the North San Joaquin Water Conservation District Board of Directors Meeting of February 26, 2018 were duly approved by the Board on March 26, 2018.

Respectfully submitted:

Shasta Burns, Deputy Secretary