

Roger Masuda – General Counsel  
Walter Sadler – NSJWCD Consultant  
Jennifer Spaletta – Special Counsel

**BOARD OF DIRECTORS**  
President – Joe Valente  
Vice President – Mark Beck  
Secretary – Tom Flinn  
Treasurer – Hugh Scanlon  
Marden Wilber

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

**Monday, October 27, 2014**  
**2:00 p.m.**

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

The agenda and all noted documentation may be viewed and downloaded at [www.nsjgroundwater.org](http://www.nsjgroundwater.org). Requests to receive the agenda and documentation by e-mail may be submitted in writing to the Secretary of the Board. The NSJWCD printed agendas are posted at the District's location of business at: 318 E. Kettleman Lane, Lodi. The District's mailing address is: PO Box E, Victor CA 95253.

**1. Call Regular Meeting to Order/Roll Call**

President Valente called the meeting to order at 2:02PM

Present: President- Joe Valente  
Treasurer- Hugh Scanlon  
Member- Marden Wilbur  
Roger Masuda (General Counsel), Jennifer Spaletta(Legal Counsel), Walt Sadler  
(Consultant)

Absent : Vice President- Mark Beck  
Secretary-Tom Flinn

**2. Correspondence/Announcements**

- A.** *President Valente announced the passing of Pete Weinzheimer, who retired from the District after serving several decades as Water Master*
- B.** *General Counsel, Roger Masuda sent a letter to the board regarding his rates. He has lowered his rates for the District.*
- C.** *Correspondence with PG & E about their time-of-use rate schedule. They have a 30-day notification policy on rate schedule changes.. The District will be looking into this to see if a change is worthwhile.*
- D.** *President Valente addressed a letter from Mr. Pilkington regarding the South System rates, noting that nothing has been finalized. Mr. Pilkington was invited to the landowner meetings.*

- E. *Regarding comments about the “truth” of a past presentation/testimony on temporary or permanent water rights, President Valente noted that the District does the public business and does not sit in judgment of “truth” of others’ presentations.*
- F. *(This was Item A on Agenda). Resolution of Water Right Protest by California Sport Fishing Protection Alliance (CSPA). Copies of the settlement agreement and Resolution (approved in closed session at the September meeting, but not announced until signed) are now available for public inspection at the District’s office.*

### 3. Action Items

#### A. Approval of the Minutes of the Regular Meeting of September 29, 2014

Moved: Scanlon

Second: Wilbur

Approved: 3-0

#### B. Discussion and Possible Action to Receive and File **NSJWC District Monthly Financial Reports (B, C discussed together below)**

#### C. Action to Authorize Current **Invoice/Expense Payments by the NSJWCD:** *The monthly totals were reviewed and revised by Mr. Scanlon. The totals were off in 2 accounts. These adjustments have now been corrected on the monthly spreadsheets.*

Moved: Wilbur

Second: Scanlon

Approved: 3-0

#### D. Tracy Lake Recharge Project

##### 1. Action to Receive and File **Tracy Lake Current Financial Reports** Moved: Wilbur Second: Scanlon Approved: 3-0

2. Discussion of Meetings of the **Tracy Lake Improvement District Coordinating Committee** or other pertinent groups: *The Grant was extended until September 2015. Still waiting on the 404. Completed plans expected November 15, 2014. The project to bid on December 1, 2014 with contract award at January meeting Currently waiting on resolution of four landowner protests; EBMUD protest; and Department Fish and Wildlife approvals. Other approvals complete. The change petition should be done by end of 2014.*

3. Discussion of **Adoption of Resolution 2014-11** Authorizing the Issuance of an **Invitation for Bids for Construction of the Tracy Lake Recharge Project** Subject to Obtaining All Required Permits and Appointment of Contracting Officer. *It has been decided that this will be held off until the November board meeting. There will be a formal invitation for bids. This is subject to District receiving permits. There is a tentative date for December 1, 2014 for this bid. Walt is the contracting officer.. The resolution is held over until the next board meeting.*

#### E. Presentation, Discussion and Approval Regarding the **District Independent Audits for Fiscal Years Ending June 30, 2012 and 2013.** *The Auditors presented the 2012 audit report and explained the qualification notes. There was no money missing, there were just adjustments that needed to be made in the accounting as a result of shifting from one system to a new system. The audit will be posted to the NSJWCD website, and also a copy will be placed at the District office for public review.*

Moved: Scanlon

Second: Wilbur

Approved: 3-0

- F. Discussion of **South System Improvements** and Authorization for Consultant to Prepare a **Proposition 218 Report for Future Water Rates**. *This item and Item G were discussed as one and voted on all together.*
- G. Approval and action of Presentation on **Proposition 218 Water Rate Study Outline** *The board authorized Walt Sadler to prepare the Study.*  
**Moved: Scanlon    Second: Wilbur    Approved: 3-0**
- H. Action to Authorize the Treasurer and General Counsel to Prepare and Issue a **Request for Proposals (RFP) for Independent Auditing Services** for Fiscal Years Ending                          June                          30,                          2014,                          2015,                          2016.  
**Moved: Wilbur    Second: Scanlon    Approved: 3-0**
- I. Discussion on **Eastern San Joaquin County Groundwater Basin Authority Request to the Department of Water Resources to Reconsider Scoring and Disqualification of Proposition 84 Drought 2014 Grant Solicitation**. *Legal counsel wanted the board to be aware that none of the County’s proposals were accepted and that the County will seek reconsideration.*
- J. Discussion on **Existing, Pending or Proposed Legislation** that May Affect the District. *Regarding new groundwater legislation, There will be a County meeting regarding who should be the management entity. This will be a series over the year.*
- K. Action to Authorize Directors to Attend an **Ethics Training Session** on November 13, 2014 with the Woodbridge Irrigation District and to Pay for Any Fees Charged by WID. *3-4 Board members to participate. The District will cover the costs associated with this training session.*  
**Moved: Wilbur    Second: Scanlon    Approved: 3-0**
- L. Discussion to Adjourn the November 24 Regular Meeting to a **Date and Time in December 2014 for the Swearing In of New and Returning Board Directors**. *There will be a meeting December 15, 2014. The Board will consider cancellation of the December 29<sup>th</sup> regular meeting.*
- M. Discussion of **District Staffing** –*combined with Item N*
- N. Discussion on the **Organization of District files** *Shasta Burns gave an update of where she is with the organization of the District files. Ms. Burns met with Jennifer Spaletta to go over and collect files for organizing. Organization of files is in process.*

4. **Discussion Items-** *none*

5. **Director and Staff Reports** Consultant Walt Sadler- *Moving forward with meetings with the South System landowners.*

6. **Public Comment**

*Mr. Pilkington commented on the passing of Pete Weinzheimer and requested that the District consider a memorial to Pete, perhaps naming of a pump station for him. President Valente*

*noted that the Board will consider this when there is a new station*

**7. Closed Session-** *No reportable action.*

**Respectfully Submitted,**

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**Shasta Burns, Administration**

**Approved by the Following Action of the Board on November 24, 2014:**