

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

Zoom - Teleconference Meeting

**Monday March 29, 2021**

**REGULAR MEETING MINUTES**

**CONDUCTED BY TELECONFERENCE IN COMPLIANCE WITH GOVERNOR NEWSOM'S  
EXECUTIVE ORDER RELAXING BROWN ACT REQUIREMENTS DUE TO COVID-19**

1. **Call to Order - Roll Call - Acceptance of Agenda** - The meeting was called to order by Vice President Flinn at 2:10 pm. A motion for the acceptance of the Agenda for the meeting on March 29, 2021 and to move action item L up to first in the Action items, made by Vice President Flinn, second by Secretary Simpson. Motion passed unanimously 4/0/0.

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

General Counsel Jennifer Spaletta  
Special Counsel Roger Masuda - Absent  
Daniel de Graaf – District Engineer  
Deputy Secretary Shasta Burns

2. **Correspondence/Announcements-** Mail correspondence was reviewed and in the board meeting packet. Secretary Simpson reviewed a letter from Mr. Dunn regarding a proposed SJC Public Works Kennefick Rd Flood Control Project and email sent to web address (not in packet).
3. **Action Items** Note: Votes recorded as: For/Against/Abstention (name)
  - A. Approval of the Minutes of the February 22, 2021 – A motion to review and approve the Minutes of the Regular Meeting, made by Secretary Simpson, second by Treasurer Starr. Motion passed 4/0/0.
  - B. Financial Matters
    - a. Receive and File NSJWCD Monthly Treasurer's Report– Monthly Treasurer's Report in the board meeting packet was reviewed. A motion to review and approve NSJWCD Monthly Treasurer's report for the month of March made by Vice President Flinn, second by Treasurer Starr. Motion passed 4/0/0.
    - b. Receive and File TLID #1 Monthly Treasurer's Report – Reviewed Monthly Treasurer's Report. A motion to review and approve the TLID #1 Monthly Treasurer's Report, made by Secretary Simpson, second by Treasurer Starr. Motion passed 4/0/0.
    - c. Receive and File ID #3 Monthly Treasurer's Report – Reviewed Monthly Treasurer's report. Annual assessments have been collected. A motion to review and approve the ID #3 Monthly Treasurer's Report for the month of January and February made by Secretary Simpson, second by Treasurer Starr. Motion passed 4/0/0.
  - C. Second Quarter Budget Review – Vice President Flinn reviewed the second

quarter budget review. Informational item only. Will review again at the April Board Meeting. Romana will prepare the 3<sup>rd</sup> Quarter report to review draft in time for the April Board Meeting.

- D.** Review Water Supply Conditions and Operations – President Valente arrived in meeting and reviewed the NSJWCD water supply - dry. District Engineer stated that there is no new water supply. General Counsel Spaletta expressed concern for the second dry year and declining storage. State and Federal projects are reducing allocation at this time. Mokelumne Watershed is operating under critical management stage.
- E.** South System Projects -
  - a. South Pump Station Project – District Engineer reviewed the South Pump Station Project does not have water at this time. Working with Sierra Controls to get automation portion for Tretheway/Brandt to run project.
  - b. Brandt/Tretheway Project – Gates are installed. Project could be ran manually at this point if needed. Secretary Simpson reviewed ideas for locking access ladder and protecting the project.
  - c. East Side Ditch Project – No work planned. No report.
  - d. Dream/Pixley Pipeline –
    - i. Status Report/Schedule – Encroachment permits are being drafted. District Engineer, General Counsel, and Moore Biological are working together to finalize easement agreements for approval at the April Board Meeting. Dave Simpson and Charlie Starr will meet to review all updates. A Special Meeting on Tuesday, April 6<sup>th</sup> at 10am will be held to review Easements, Encroachment Agreements. A Special Meeting Agenda will be drafted and posted.
    - ii. Review and Approve SJCOG, Inc – Incidental Take Minimization Measurers – General Counsel reviewed Dream pipeline ITMM permit to satisfy endangered species act. Terms are consistent with what the District implies to do at this point. A motion to approve Incidental Take Minimization Measurers and to pay the necessary fee made by Secretary Simpson, second by Treasurer Starr, motion passed 5/0/0 (President Valente now present for vote)
  - e. WaterSMART Grants – General Counsel reviewed that the District was not chosen for the WaterSMART grants applied for. Recommendation to have Consero request post grant review scoring on the grants applied for to help improve applications in the future.
  - f. Improvement District No.3 Updates – Update only. General Counsel reviewed Dream Project and adding Pixley Lateral, which is an additional pump and pipeline to Kautz and Caffese properties that will benefit for lateral project. Landowners Kautz and Caffese will pay a portion of the project in assessments. General Counsel will prepare contracts needed in order to form ID 3A and record against properties involved.
- F.** Dream Project Easements – Items will be discussed at the Special Meeting held on April 6, 2021.
- G.** Improvement District No.3A – Pixley Lateral – Formation – Discussed in item “E.f”
- H.** Strategic Plan Update – Landowner meetings are being held at this time. Action items H and L discussed together. The Board would like to continue using Consero Solutions for Strategic Plan outreach. A motion to approve amendment presented in the Board Meeting Packet form Consero Solutions and take the

budgeted amount out of the Planning Fund Expenses 1 or 2 made by Vice President Flinn, second by Secretary Simpson. Motion passed unanimously. 5/0/0.

- I. Pump Station Maintenance Report –
    - a. North Pump – The vegetation maintenance and clean-up work was completed by the contractor. Stockton East Water District completed weed spray at all NSJWCD pump stations.
    - b. South Pump – No update at this time.
    - c. Tracy Lake – Lake level sensor needs to be replaced. The completed web interface will send out live data in the near future. Secretary Simpson recommended preparation of a one-page “Startup Guide” to ensure the pumping plant is operated correctly.
      - i. Staff Gages – Secretary Simpson has the staff gages in possession and will work on installation.
      - ii. Lake Elevation Sensor – Discussion above. No action at this time.
      - iii. Tesco web interface Sensor – Monthly meetings will be held until project completed.
  - J. North System Prop 68 Grant Application – General Counsel reviewed that we were not selected for the Prop 68 Grants funds. The District will keep application and use for future projects. Consero will meeting with DWR to focus on items that will improve the application. Landowner funding will increase scoring.
  - K. Sustainable Groundwater Management Act – General Counsel gave an update on annual report.
  - L. Amend Contract with Consero Solutions – Petrea Marchand reviewed memo in the Board Meeting packet. Additional time spent on the recent landowner meeting held and board consensus to keep Consero Solutions involved in our movement forward with Strategic Plan Landowner meetings. A motion to approve the Amend Contract with Consero Solutions presented in the Board Meeting packet under the budget category made by President Valente, second by Secretary Simpson. Motion passed 5/0/0.
  - M. Discuss Strategic Plan Process/Public Outreach – All updates given in above Action items.
  - N. Landowner communications – No updates at this time.
  - O. Discussion of Revised Board Policy Manual – No update at this time.
  - P. Discussion of Board Planning Calendar – Form 700 is due April 1st.
- 4. Director and Staff Reports**
- A. President’s Report – No report at this time.
  - B. General Counsel Spaletta – No report at this time.
  - C. District Manager/Engineer – Round two IRWM funding opportunity.
  - D. Committee Reports – No report at this time.
  - E. Other – No reports at this time.
- 5. Public Comment** – Public comments were addressed.
- 6. Closed Session** – The Board entered into Closed Session at 3:31 pm. President Valente did not join the Closed Session discussion.
- 7. Adjournment** - The Board came out of Closed Session at 4:01 pm with Directors Flinn, Starr and Simpson present. Vice President Flinn reported there was no

reportable action. Motion to adjourn the NSJWCD Regular Meeting on March 29, 2021 made by Secretary Simpson, second by Vice President Flinn. Motion passed 3/0/0. Meeting adjourned 4:03 PM.

**The next regular scheduled Board Meeting April 26, 2021, from 2:00 PM - 4:00 PM. Location and method TBA due to COVID-19 Executive Order.**

The above minutes of the North San Joaquin Water Conservation District Board of Directors Meeting of March 29, 2021.

Respectfully submitted:

Shasta Burns, Deputy Secretary