

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

Lodi Grape Festival Grounds – Barrel Room  
413 E. Lockeford Street, Lodi CA  
Zoom - Teleconference Meeting

**Monday, November 27, 2023**

**REGULAR MEETING MINUTES**

**ALSO AVAILABLE BY ZOOM TELECONFERENCE**

- 1. Call to Order - Roll Call - Acceptance of Agenda** - The meeting was called to order by President Valente at 2:03pm. A motion for the acceptance of the Agenda, made by Vice President Colombini, second by Treasurer Starr. Motion passed unanimously 4/0/0.

President Joe Valente - Area 3  
Vice President Jason Colombini - 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  
Daniel de Graaf – District Engineer  
Deputy Secretary Shasta Burns  
General Manager – Steve Schwabauer

- 2. Correspondence/Announcements-** President Valente reported that Director Marden Wilber has been in and out of the hospital.
- 3. Action Items** Note: Votes recorded as: For/Against/Abstention (name)

**A. CONSENT CALENDAR**

1. Approval of the Minutes of the Regular Scheduled Board meeting on October 30, 2023- A motion to approve the Regular Scheduled Board Meeting Minutes with clarification on the board meeting minutes under Closed Session item – President Valente returned the meeting to open session. The board of directors then adopted Resolution 2023-14 (recorded above in item 3E2) and 2023-15 (recorded above in item 3C1) no action was taken during closed session. There was no further reportable action. A motion to approve the Minutes of the Regular Scheduled Board Meeting on October 30, 2023, made by Secretary Simpson, second by Treasurer Starr. Motion passed 4/0/0.

**B. Financial Matters**

1. Receive and File November 2023 NSJWCD Monthly Treasurer’s Report and Summary of Accounts and Transfers presented to the board. Perla from Butterfield + Company prepared financial statements for Board action. A motion to approve November 2023 NSJWCD Monthly Treasurer’s Report, by Vice President Colombini, second by Treasurer Starr. Motion passed 4/0/0
2. Approve Payment of Bills- A motion to approve payment of bills recommendation listed on page 12-13 in the board meeting packet Summary of

Bills made by Secretary Simpson, second by Vice President Colombini. Motion passed 4/0/0.

3. Update Farmers and Merchants Bank Signature Cards – A motion to update bank signature cards to remove Mardin Wilber for the time being, and add Steve Schwabauer to all bank accounts at Farmers and Merchants Bank made by Treasurer Starr, second by Secretary Simpson. Motion passed 4/0/0

#### C. Contracts

1. General Counsel Legal Services Agreement and Conflict Waiver – General Manager Schwabauer reviewed Stoel Rives Engagement Letter and Request for Advance Waiver of Conflicts of Interest draft and to be put in place on December 1, 2023. A motion to approve **Resolution 2023-17** Authorizing Executive of a Legal Services Agreement and Conflict Waiver with Stoel Rives for Services of Jennifer Spaletta as District General Counsel made by Treasurer Starr, and second by Vice President Colombini. Roll Call; Wilber; Absent, Starr; Aye, Simpson; Aye, Colombini; Aye, Valente; Aye. Motion passed 4/0/0
2. Contract Services Agreement with Shasta Burns to provide Clerk, Records management and billing services to the District – A motion to approve **Resolution 2023-18** authorize Contract Services Agreement with Shasta Burns to provide Board Clerk Records management and billing services to the District and update contract as presented to the board made by Vice President Colombini, second by Treasurer Starr. Roll Call; Wilber; Absent, Starr; Aye, Simpson; Aye, Colombini; Aye, Valente; Aye. Motion passed 4/0/0
3. Change Order 8 to South System Phase 2 to install replacement temporary pump and Fish Screen time and materials not to exceed \$125,000 – A motion to approve **Resolution 2023-19** Authorizing Execution of Change order #8 on the South System Phase 2 contract with Arnaudo Construction to install a replacement temporary Pump and Fish Screen on the North System made by Secretary Simpson, second by Treasurer Starr. Roll Call; Wilber; Absent, Starr; Aye, Simpson; Aye, Colombini; Aye, Valente; Aye. Motion passed 4/0/0
4. California Conservation Corps to provide clean-up services of the East Ditch on a Time and Materials Basis – A motion to approve **Resolution 2023-20** Authorizing Execution of an Agreement with the California Conservation Corps to Clean the East Side Ditch and orally amend the not to exceed amount to \$8,000, made by Vice President Colombini, second by Treasurer Starr. Roll Call; Wilber; Absent, Starr; Aye, Simpson; Aye, Colombini; Aye, Valente; Aye. Motion passed 4/0/0
5. Authorize \$500,000 Draw on Warrant Agreement with F&M Bank for North System Phase 1a Project and payment of invoices – A motion to approve **Resolution 2023-21** Authorizing Execution of Delivery of up to \$500,000 Draw on Warrant Agreement for Payment of North System Phase 1a & 1b (orally amended) bills made by Secretary Simpson, second by Vice President Colombini. Roll Call; Wilber; Absent, Starr; Aye, Simpson; Aye, Colombini; Aye, Valente; Aye. Motion passed 4/0/0
6. South System Pump Station Pump Change Order – District Engineer de Graaf reviewed staff report for board approval Contract Change Order from Arnaudo Construction for Option 2, for the amount of Five Hundred Twelve

Thousand Dollars and no Cents (\$512,000.00). A motion to approve Contract Change Order from Arnaudo Construction for Option 2 in the amount of \$512,000 made by Vice President Colombini, second by Treasurer Starr. Motion passed 4/0/0. Additionally, a review of staff report provided by Bob Granberg in the board meeting packet. A motion to approve Change orders 7,8, & 9 for a combined final 9a, 9b, 9c, for Arnaudo Construction for South System Phase II in the amount of \$94,237.84 for additional work items made by Vice President Colombini. All three change orders combined in one motion made by Vice President Colombini, second by Secretary Simpson. Motion passed 4/0/0

#### **D. System and Projects**

1. Engineer's Report and Operations Plan– Engineer de Graaf gave an overview of where the district stands on each project – Report was presented at the start of the board meeting and is available upon request.

#### 2. North System -

i. Reynolds Recharge Update- Recharge site operated on November 5<sup>th</sup> and delivered approximately 500 AF during the season.

ii. Progressive Design- Build Procurement Update – No update at this time.

#### 3. South System

##### i. South System Phase II Update-

1. Arnaudo Contract Change Orders- Arnaudo Change Orders were discussed in the above action items.

ii. South System Phase III Design Plan – 30 percent plans were completed for the Watersmart Grant application, Handel Lateral 30 percent plans have been completed and planning work for discussions with landowners is underway, Phase III plans are being produced and are anticipated to be 60 percent by the December Board Meeting.

iii. Update on Stockton East Exchange Deliveries – District Engineer has gathered data and in coordination with SEWD and organizing data for the water year and will summarize for water year 2023

4. Cal-Fed/Woodbridge – Sierra Controls has completed installation of the SCADA system and remote operation of the pump station is now functional. Waiting for preparation of the field to begin operation at the Costa Recharge site beginning in December.

5. Tracy Lake ID – Tracy Lake currently has a lot of water in it and lake level transducer cannot be installed until the water level goes down. In preparation for winter storms, there are no plans to divert water for recharge at this time. Sierra Controls has installed SCADA System and is in working order.

#### **E. Grant Activity**

1. Consero report – General Manager Schwabauer reviewed the Consero Solutions monthly report on funding opportunities from staff report presented in the board meeting packet.

**F. Strategic Plan Activity**

1. Newsletter – Fall 2023- Newsletters have been mailed and received by landowners.
2. Website Update – The revised website is now live! [www.NSJWCD.com](http://www.NSJWCD.com)

**G. Groundwater Charge - Processing appeals and direct billing at this time.**

**H. Sustainable Groundwater Management Act/GWA Activity – Groundwater Authority fees will increase due to additional program requirements being added by the State Board for Mitigation funds. Counsel is putting together samples and will bring for comments at the December GWA meeting.**

**I. SJC Mokelumne River Application Update – General Counsel Spaletta reviewed tour surveys sent out.**

**J. Bay Delta Flow Program Update/Voluntary Agreements – General Counsel reviewed Public Hearings being held and comments are due in the middle of January.**

**K. Landowner Communications – Facilities Tour will be held on December 8, 2023.**

**L. Board Planning Calendar- No update at this time.**

**4. Director and Staff Reports**

**A. Director's Report – General Manager Schwabaurer mentioned the need for District Apparel.**

**B. Committee Reports – No reports at this time.**

**C. Provide Direction to Staff on Funding Proposal for Handel Lateral – Direction to approach landowners with concept presented in the staff report in board meeting packet.**

**D. Provide Direction to Staff on FloodMAR incentive to pay landowners to provide O&M for FloodMAR to increase participation incentive – General Manager Schwabaurer reviewed the need to operate O&M for FloodMAR projects and explore the possibility to pay the landowner for the operations and maintenance to attract the landowner to participate. The board supports landowner participation for monetary purposes.**

**5. Public Comment – No comments at this time.**

**6. Closed Session – The Board entered closed session at 4:10 PM and came out of closed session at 4:30 PM. Return to Open Session – President Valente returned the meeting to open session and there was no further reportable action.**

**7. Adjournment - Motion to adjourn the NSJWCD Regular Meeting on November 27, 2023 made by Vice President Colombini, second by Treasurer Starr. Motion passed 4/0/0 Meeting adjourned at 4:32 PM.**

**The next regular scheduled Board Meeting December 18, 2023, from 2:00 PM - 4:00 PM.**

The above minutes of the North San Joaquin Water Conservation District Board of Directors Meeting of November 27, 2023.

Respectfully submitted:

Shasta Burns, Deputy Secretary