

THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF STOCKTON EAST WATER DISTRICT WAS HELD AT THE DISTRICT OFFICE
6767 EAST MAIN STREET, STOCKTON, CA
ON TUESDAY, OCTOBER 18, 2022 AT 12:30 P.M.

A. PLEDGE OF ALLEGIANCE AND ROLL CALL

President Watkins called the regular meeting to order at 12:30 p.m., and Director Panizza led the Pledge of Allegiance.

Present at roll call at the District were Directors Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Hopkins, Assistant Manager Vega, District Engineer Evensen, Finance Director Ram, Administrative Assistant McKinney, Administrative Clerk Feliciano, Legal Counsel Zolezzi and Consultant Barkett. Director Atkins was absent.

B. CONSENT CALENDAR (None)

C. PUBLIC COMMENT

Ellen McFall, Stockton East Water District customer thanked District Staff for answering her questions addressed at the previous Regular Board Meeting.

D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS

1. Registrar of Voters Presentation

Manager Hopkins provided the Board with a handout received from the San Joaquin County Registrar of Voters (ROV) regarding the Ballot Error for Stockton East Water District. Olivia Hale, Registrar of Voters, gave a presentation regarding the ROV Office identifying an error which affects two contests for Stockton East Water District Directors on the November 8, 2022 General Election Ballot. Ms. Hale invited the Board to ask questions and voice their concerns with the goal of bringing clarification and solution to the issue.

President Watkins inquired if the supplemental ballot will only be available at the ROV Office on election day. Ms. Hale replied yes, on election day the ROV Office has the capability to print personalized on-demand ballots for the voters without their supplemental ballot. Ms. Hale added per the Secretary of State, the ROV Office had to build a special election just for the District to include all seven divisions voting for both Division 5 and Division 7; in order to do that, a supplemental ballot was created as a mail ballot only. Ms. Hale stated the supplemental ballot only includes the Stockton East Water District contests and was sent in a yellow envelope to differentiate it from the general election ballot; the supplemental ballots will be counted solely for the Stockton East Water District contests. Ms. Hale added the supplemental ballots can be dropped off at any polling location on Election Day and voters can call the ROV Office to request an additional supplemental ballot be mailed or delivered to them.

Legal Counsel inquired if every voter received a mail ballot. Ms. Hale replies yes. Ms. Hale reported the 1st floor of the ROV Office will be a polling location with the option of drive-up voting where voters can request a supplemental ballot to vote on election day and can also opt to vote early at the ROV Office as well. Ms. Hale stated voters have full reign of all of the services the ROV Office provides in order for them to vote via the supplemental ballot.

President Watkins expressed his concern for voters not having the ability to acquire a supplemental ballot from the Stockton East Water District precincts on election day. Ms. Hale replied because this concern was relayed after the supplemental ballots were printed, additional supplemental ballots cannot be printed in time for the general election.

Director Cortopassi inquired how voters will know to vote on the supplemental ballot and not on the general election ballot since Director Paul Sanguinetti is listed on both. Ms. Hale replied only the supplemental ballots will be counted for both contests for Stockton East Water District. Ms. Hale added the ROV Office plans to turn to social media for help spreading the message to vote via supplemental ballot. Ms. Hale reported the ROV Office has already posted information to their website and sent out postcards to all voters explaining how to vote with the general and supplemental ballots.

Director Sanguinetti inquired how the error occurred. Ms. Hale replied in San Joaquin County, Policy Forms are sent to collect the information, however, the form did not include an option to declare if the District is elected by division or elected at large. Ms. Hale stated she took office at the Registrar on August 9, 2022 and the forms were sent out and evaluated prior to her appointment; in speaking with other registrars, election services are normally requested from the ROV Office by resolution. Ms. Hale reported Policy Forms will no longer be used by the ROV Office; a resolution template will be provided to the District for submittal going forward. Ms. Hale explained due to redistricting delays in 2020, special district requests were not sent out until early 2022. In response the ROV Office received Resolution 22-23-03 which indicated the District is governed by Division 21 of the Water Code; which designates Board Members to be elected by division and voters voting by division. Ms. Hale further explained the Special Legislation sent provided by Manager Hopkins acts as an exception to Division 21 of the Water Code; the ROV Office did not have the Special Legislation document on file. Ms. Hale stated this error will never happen again and she will improve communication with all special districts in an effort to effectively provide services in the future. Ms. Hale apologized for the error and promised to do better in the future.

Director McGurk complimented the written materials provided by the ROV Office and inquired about the social media effort. Ms. Hale replied the ROV Office now has an outreach team and recently launched social media pages with Facebook, Twitter and Instagram; Ms. Hale reported she will be reaching out to larger media affiliates with more following to help get the message out. Director McGurk stated he appreciates the efforts being applied to correcting the error. Ms. Hale reported she grew up in this community and understands the importance of taking care of our community and genuinely felt bad this error happened under her management. Ms. Hale reported the District will only be billed for the consolidated election; ROV Office received surplus funds from the State recall election which will be applied to cover the costs for the supplemental ballot.

Director Panizza inquired if the press release will be given to the local publications. Ms. Hale replied she is happy to run the press release with all local publications.

President Watkins inquired how many registered voters in Stockton East Water District. Ms. Hale replied about 179,000 registered voters.

Director McGurk reported in 2018 his total candidate cost was \$12,000 for a 200-word statement and this year the 200-word statement cost \$2,700; he paid by division which should have been an early indicator of the error since the amount was drastically lower. Ms. Hale stated she will speak to County Council and inquire if they can refund Director McGurk for the candidate statement amount. Ms. Hale reported in future elections the price for candidate statements will increase as the \$2,700 was for the division only.

Ms. Hale inquired why our District is by division and elected at large and asked if we would like to change that in the future. Legal Counsel Zolezzi replied our authorizing legislation governs what we do and we cannot change it, legislation would have to be changed.

Ms. Hale thanked the Board for their understanding and left business cards for those that would like to reach out or have further concerns. Director McGurk thanked Ms. Hale her efforts and being at the meeting to answer questions.

2. Minutes 10/11/22 Regular Meeting

A motion was moved and seconded to approve the October 11, 2022 Regular Board Meeting Minutes, as presented.

Roll Call:

Ayes: Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins
Nays: None
Abstain: None
Absent: Atkins

3. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the October 18, 2022 Warrants – California Public Employees’ Retirement System, as presented.

Roll Call:

Ayes: Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins
Nays: None
Abstain: None
Absent: Atkins

4. Stockton East Water District – Electrical Bussing Modifications for High Service Pump Station Switch Gear A for Connection of New Automatic Transfer Switch Memo, 10/18/22

Manager Hopkins provided the Board with a memo regarding Electrical Bussing Modifications for High Service Pump Station Switch Gear A for Connection of New Automatic Transfer Switch. Assistant Manager Vega reported high service pump station currently only has standby power for half of the pumps through Switch Gear B and the connected ATS. Assistant Manager Vega reported the Board authorized the purchase of an additional ATS for Switch Gear A, however the existing bussing does not allow connection between the new ATS and Switch Gear A. Assistant Manager Vega recommended the Board authorize the General Manager to approve a contract with Schneider Electric to modify the electrical bussing necessary to connect the HSPS Switchgear A to the new ATS in the amount of \$48,838.25.

Director Cortopassi inquired what the cost covers. Assistant Manager Vega replied the cost covers the modification work in order to install an ATS on Switchgear A.

A motion was moved and seconded to authorize Schneider Electric to complete the work to connect the HSPS Switch Gear A to the new ATS in the amount of \$48,838.25, as presented.

Roll Call:

Ayes: Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins
Nays: None
Abstain: None
Absent: Atkins

5. Stockton East Water District – Agreement Amendment for Bellota Project Cultural Resources Study Memo, 10/18/22

Manager Hopkins provided the Board with a memo regarding an Agreement Amendment for Bellota Project Cultural Resources Study. Manager Hopkins reported in 2019 ECORP Consulting, Inc. was Board Meeting – 10/18/22

engaged to provide environmental consulting work for the Bellota Project; their consulting work scope was based on the 65% design plan, but as the design progressed the changes between the 65% design to the now 100% design warranted further work on the CEQA documents to account for the addition of the piles to hold the structures up. Manager Hopkins reported the original scope of work did not include the additional work required to evaluate environmental impact due to pile driving. Manager Hopkins reported ECORP Consulting, Inc. submitted a request to amend the original agreement for an additional \$18,514, plus a 10% contingency for a total amount of \$20,365. Manager Hopkins reported the additional work is covered by the California Department of Fish & Wildlife grant. Manager Hopkins recommended the Board approve the amendment to the Professional Services Agreement with ECORP Consulting, Inc. for a revised not to exceed cost of \$121,104, plus a 10% contingency of \$12,137 for a total of \$133,214.

Director McGurk inquired if the quote is valid until the funding is available to complete the Project. Manager Hopkins replied the work ECORP Consulting, Inc. is doing has been ongoing; the amended amount will cover their services through the end of the Project. Director McGurk inquired if ECORP Consulting, Inc. services will be needed if pile driving disturbs something. Manager Hopkins replied no, they will develop a document that states the pile driving will disturb this area and in order to mitigate the disturbance this is what will need to be incorporated in the process of the Project.

A motion was moved and seconded to approve the amendment to the Professional Services Agreement with ECORP Consulting, Inc. for a revised not to exceed cost of \$121,104, plus a 10% contingency of \$12,137 for a total of \$133,214, as presented.

Roll Call:

Ayes: Cortopassi, McGaughey, McGurk, Panizza, Sanguinetti, Watkins

Nayes: None

Abstain: None

Absent: Atkins

6. iHub San Joaquin – 6th Annual H₂O Hackathon – Hack the Drought – 2022 Sponsorship Opportunity
Manager Hopkins provided the Board with the iHub San Joaquin – 6th Annual H₂O Hackathon – Hack the Drought – 2022 Sponsorship Opportunity. Manager Hopkins reported he has a meeting with an iHub representative today at 4:00 p.m. to inquire about the efforts made at the annual H₂O Hackathon – Hack the Drought event. Manager Hopkins reported he found information on the iHub website stating the iHub San Joaquin Branch mission is dedicated to re-invigorating the region’s economy as a center for sustainable technologies in three areas: Health Care, Agri-Business and Sustainable Construction Technology. Manager Hopkins reported the website only refers to the H₂O Hackathon to explain the competition which is to create the best drought app, the best water conservation campaign, the best water conservation story, poem or video to inspire Californians to save water.

President Watkins directed Manager Hopkins to decide if the District should sponsor the 6th Annual H₂O Hackathon – Hack the Drought.

E. COMMITTEE REPORTS

1. Eastern San Joaquin Groundwater Authority Steering Committee Meeting, 10/12/22
President Watkins and Manager Hopkins attended the October 12, 2022 Eastern San Joaquin Groundwater Authority Steering Committee Meeting. Manager Hopkins reported the Committee had four items; all items were approved and recommended to the GWA Board for approval. Manager Hopkins reported the recommendations included the Round 1 SGMA Grant for Eastern San Joaquin Region and the approval of two scopes of work from Woodward & Curran for the GSP Annual Report and the Water Accounting Framework. Manager Hopkins reported Brandon Nakagawa, South San Joaquin Irrigation District identified three comments that were formally submitted to DWR on the

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revised GSP. Manager Hopkins reported the DWR representative stated the comments will have no effect on the revised plan being approved if the revised plan addressed all of DWR's comments on the original plan. The next scheduled meeting is November 9, 2022.

2. Eastern San Joaquin Groundwater Authority Board Meeting, 10/12/22
Directors Panizza, Watkins and Manager Hopkins attended the October 12, 2022 Eastern San Joaquin Groundwater Authority Board Meeting. Director Panizza reported the meeting was brief with the approval of the minutes. Director Panizza reported the GWA Board adopted a Resolution to include projects in the Eastern San Joaquin Groundwater Sustainability Plan, approved the Local Project Sponsor Agreement between the ESJ GWA and the North San Joaquin Water Conservation District, City of Stockton and San Joaquin County and authorize the Chairman to sign upon approval as to form and adopted the Eastern San Joaquin Water Resources Model Policy. The next scheduled meeting is November 9, 2022.

F. REPORT OF GENERAL MANAGER

1. Water Supply Report as of 10/17/22
Manager Hopkins provided a handout of the Water Supply Report for information only that included storage, release, and production data collected from various sources as of midnight last night.

There is 53,006 AF in storage at New Hogan Reservoir. Current releases are set at 57 cfs. Current release at Goodwin Dam to Stanislaus River are set at 440 cfs and release to all water users are set at 0 cfs. There are 0 irrigators on New Hogan, 0 irrigators on New Melones, and 0 irrigators out of District. The water treatment plant is currently processing 44 mgd. The City of Stockton is currently processing 14 mgd. Manager Hopkins reported the District wells total water extraction is 6,886 gpm (~9.9 mgd).

2. Information Items:
Manager Hopkins noted item: F2a-1 and F2a-2.
3. Report on General Manager Activities
 - a. Stockton Area Water Suppliers (SAWS) Meeting, 10/14/22
Manager Hopkins attended the October 14, 2022 Stockton Area Water Suppliers (SAWS) Meeting. Manager Hopkins reported the City of Stockton is preparing for another dry winter and may consider advancing their drought response to a stage 3, they are currently at a stage 2; the City of Stockton is also working with residents to support conservation via a call-in line where drought response questions can be answered and water wasting reports can be made. Manager Hopkins reported an update on the City of Stockton's recharge basin project which is moving forward; they conducted an on-ground electromagnetic survey to determine the recharge capacity of the soils and the survey said the soil was good for recharge. Manager Hopkins reported the City of Stockton consultant is beginning to start cone penetration tests which will help them determine the amount of water to recharge. The next scheduled meeting is November 11, 2022.
 - b. Stockton East Water District Activities Update
Manager Hopkins reported he received an email that Senate Bill 222 was vetoed by the Governor ~~to reduce indoor water use to 42 gallons per person/per day by 2030 from the current 57 gallons per person/per day~~ which would have allowed the legislature to fund water rate assistance programs in the state budget. This item was for information only.

Manager Hopkins reported he has a meeting with California Water Service on October 20, 2022 to discuss the LAFCO comments that were submitted. This item was for information only.

Manager Hopkins reported ongoing discussions with DWR's consultant to try to secure temporary flood permits to divert water this winter from both the Calaveras River and Rock Creek/Littlejohn's Creek. Manager Hopkins reported he has a pending meeting with the General Manager of Central San Joaquin Water Conservation District and a vineyard owner to see if they are also willing to participate in on-farm recharge of flood water. This item was for information only.

Manager Hopkins reported he is trying to set up a meeting with NRCS to discuss the funding they have available and discuss how our projects fit in with their funding requirements. This item was for information only.

G. DIRECTOR REPORTS (None)

H. COMMUNICATIONS (None)

I. AGENDA PLANNING/UPCOMING EVENTS

1. San Joaquin County Office of Emergency Services – Agricultural Drought Task Force Meeting, 10:00 a.m., 10/19/22
2. San Joaquin County Flood Control and Water Conservation District Advisory Water Commission Meeting, 1:00 p.m., 10/19/22
3. Eastern San Joaquin Groundwater Authority Technical Advisory Committee Meeting, 10:30 a.m., 10/20/22
4. Greater Stockton Chamber of Commerce – 2022 San Joaquin Agricultural Hall Of Fame, 6:30 p.m., 10/20/22
5. Central Valley Project Water Association – Executive & Financial Affairs Committee, 10:00 a.m., 10/21/22

J. REPORT OF THE COUNSEL

1. Closed Session - Existing Litigation
Stockton East Water District vs. City of Stockton, et al.
Government Code 54956.9 (a)
2. Closed Session - Potential Litigation
Government Code 54956.9 (c) – one case

President Watkins adjourned the meeting to closed session at 1:23 p.m. to discuss closed session agenda items. The regular meeting reconvened at 1:57 p.m., with the no reportable action.

K. ADJOURNMENT

President Watkins adjourned the meeting at 1:58 p.m.

Respectfully submitted,



Justin M. Hopkins
Secretary of the Board

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