

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, FEBRUARY 6, 2024 AT 12:30 P.M.

**A. PLEDGE OF ALLEGIANCE AND ROLL CALL**

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

Present at roll call at the District were Directors Atkins, Cortopassi, McGurk, Panizza, Sanguinetti and Watkins. Also present were Manager Hopkins, Assistant Manager Vega, District Engineer Evensen, Finance Director Ram, Administrative Assistant Wood, Legal Counsel Selke and Consultant Barkett.

**B. CONSENT CALENDAR (None)**

**C. PUBLIC COMMENT (None)**

**D. SCHEDULED PRESENTATIONS AND AGENDA ITEMS**

1. Minutes 01/30/24 Regular Meeting

A motion was moved and seconded to approve the January 30, 2024 Minutes, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

2. Warrants – California Public Employees’ Retirement System

A motion was moved and seconded to approve the February 6, 2024 Warrants, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

3. Stockton East Water District – Tunnel Outlet Flume Meter Project – Delay and Proposed Budget Amendment Memo

Manager Hopkins provided the Board with a memo regarding the Tunnel Outlet Flume Meter Project. Assistant Manager Vega reported the Board approved a contract with Accelerated Construction and Metal, LLC (ACM) for \$1,272,891 with a 10% contingency of \$127,289.10, for a total approved budget of \$1,400,180.10, for construction of a Replogle flow measurement flume in the Upper Farmington Canal. Upon site preparation for project construction, District staff identified a leaking Goodwin Tunnel Inlet Gate (gate). District staff set up a dam and installed a 12-inch dewatering pump downstream of the tunnel outlet to convey water to an existing storm drain pipeline. After several pump failures of the 12-inch pump, the dam broke and flooded the project site. On January 30, 2024, due to anticipated wet weather and water intruding from the leaking gate, ACM requested additional dewatering for the site which will necessitate a change order. The dewatering effort will inevitably add additional days to the construction schedule. The first month of additional dewatering would cost \$131,949 to install two earthen dams and 8 dewatering point

wells, then cost an additional \$27,721 for each month thereafter for maintaining the dewatering effort. The District would be required to contain any flow coming from the leaking gate. Staff analyzed the impact of increased rainy days in the weather forecast as well as the additional days requested in ACM's potential change order and determined the delays would push project completion into the next fiscal year. Staff met and discussed three potential options as follows; 1) continue with the project and accept the later completion date of April/May 2024 as well as the expenses of dewatering and possible delays during the rainy season; 2) terminate the contract, pay ACM for mobilization, demobilization and any already purchased component expenses and rebid the project later; and 3) delay the project until October 2024 with no price increase in the contract amount except for the possibility of a major dewatering plan change order of \$131,949 plus \$27,721 monthly thereafter. In discussions with ACM, ACM recommended delaying the project until October 2024 at no additional contract cost, except for a possible dewatering change order, to minimize wet weather impacts to the project. From now until October 2024 staff can investigate the fix to the gate, as well as what the District can do to handle the dewatering internally to potentially avoid the change order.

Director Watkins inquired how much it would cost to terminate the contract and how much it would cost to postpone project. District Engineer Evensen responded it would cost \$52,000 to terminate the project. There is no additional cost to postpone the project unless there is a need to dewater the project site come October.

Director Panizza inquired what the cause of the leaking gate is. Assistant Manager Vega responded the cause of the leaking gate needs to be investigated further. If the Board approves to delay the project, staff will have sufficient time to investigate the problem.

Director Cortopassi inquired why ACM is recommending delaying the project to the end of 2024. Assistant Manager Vega responded there are a couple contributing factors; 1) the impact of increased rainy days in the weather forecast and 2) the leaking Goodwin Tunnel Inlet Gate. For these reasons the project site has to be dewatered resulting in a change order of additional days. ACM is anticipating the weather will be better in October. Director Cortopassi inquired what the cost is to delay the project until 2024. Assistant Manager Vega replied there is no additional cost. District Engineer Evensen added the only costs the District would pay is for the work that has been completed thus far. Director Cortopassi inquired how much costs have incurred so far. District Engineer Evensen replied the District received the first invoice yesterday which staff are currently reviewing.

Discussion followed.

A motion was moved and seconded to authorize the General Manager to maintain the construction contract with Accelerated Construction and Metal, LCC and delay the Project into FY 2024-2025 and to approve a budget amended to transfer funds from Fund 94, account 10-5323-0 Maint. & Repair TP – Solids Handling/Dewatering Lagoons to Fund 71, account 10-5203-0 NH Gen. Maintenance – AG – Calaveras Pipeline in the amount of \$75,000 for FY 2024-2025, as presented.

Roll Call:

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

4. Statement of Consistency Pursuant to Executive Order N-7-22 and Findings of Fact Stockton East Water District Groundwater Sustainability Agency Statement of Consistency Pursuant to Executive Order N-7-22 – Well Permit Application for 5172 N. Confer Rd, Stockton, CA 95215  
Manager Hopkins provided the Board with a Statement of Consistency and Well Permit Application. Manager Hopkins reported the District received the well permit application from the San Joaquin Environmental Health Department. The District is required to submit a statement of consistency to San Joaquin County stating the replacement well would be consistent with the District’s Groundwater Sustainability Plan.

A motion was moved and seconded to approve the Statement of Consistency Pursuant to Executive Order N-7-22 and Findings of Fact Stockton East Water District Groundwater Sustainability Agency Statement of Consistency Pursuant to Executive Order N-7-22 – Well Permit Application for 5172 N. Confer Rd, Stockton, CA 95215, as presented.

Roll Call:

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

Nays: None

Abstain: None

Absent: None

5. Stockton East Water District – Draft 2024 Spring/Summer Newsletter  
Manager Hopkins provided the Board with the District’s Draft 2024 Spring/Summer Newsletter. Manager Hopkins requested comments and edits be provided to him.

**E. COMMITTEE REPORTS**

1. Agriculture Operations Committee Meeting, 02/05/24  
Director’s Atkins, Cortopassi, Sanguinetti, Watkins, and Manager Hopkins attended the Agriculture Operations Committee Meeting on February 5<sup>th</sup>. The committee met with GEI Consultants, Inc to discuss the Water Supply Master Plan. President Atkins reported the GEI Consultants presented information to the committee regarding strategic goals and objectives to guide the development and selection of capital improvement, modernization, policy, and water use alternatives.

Director McGurk inquired if GEI is obtaining any information for water use alternatives directly from water users. President Atkins replied no, GEI is working with District staff to obtain any necessary information.

**F. REPORT OF GENERAL MANAGER**

1. Water Supply Report as of 01/30/24  
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 178,866 AF in storage at New Hogan Reservoir. Current releases are set at 101 cfs. There is 1,981,260 AF in storage at New Melones Reservoir. Current releases are set at 2,040 cfs. Current release at Goodwin Dam to Stanislaus River is set at 1,511 cfs and release to all water users is set at 0 cfs. The district water treatment plant (WTP) is currently processing 30 mgd. North Stockton is currently utilizing 7 mgd. South Stockton is currently utilizing 5 mgd. Cal Water is currently utilizing 19 mgd. The City of Stockton WTP is currently processing 0 mgd.

2. Information Items:
  - a. Manager Hopkins noted items: F2a-1 and F2a-2

### 3. Report on General Manager Activities

#### a. ACWA State Legislative Committee Meeting, 01/19/24

Consultant Barkett attended the ACWA State Legislative Committee Meeting on January 19<sup>th</sup>. Consultant Barkett reported ACWA has hired Ian Lyle as its new Director of Federal Relations to lead its advocacy team in Washington D.C., including advocating on behalf of member agencies before Congress and at federal executive branch agencies. He replaces David Reynolds, who retired in December after 30 years at ACWA. The committee reviewed 2 Bills: Proposition 218 and Assembly Bill 828. Proposition 218 prohibits any objections against a measure from being excluded from its application. This will eliminate any last-minute challenges and allow time for assessments. ACWA is in support of Proposition 218. Assembly Bill 828 allows managed wetlands and small disadvantaged communities to use their average annual water usage without being subject to excessive fines by Groundwater Sustainability Agencies (GSAs) as part of the Sustainable Groundwater Management Act (SGMA). ACWA remained in an opposed position. Consultant Barkett reported Governor Newsom signed Senate Bill 326 (Eggman), modernizing the Mental Health Services Act, and Assembly Bill 531 (Irwin), a \$6.38 Billion bond to build new behavioral health housing and treatment settings across the state. Californians will vote on this package, collectively known as Proposition 1, on the March 2024 ballot.

#### b. Stockton East Water District Activities Update

Manager Hopkins reported he, Steve Schwabauer, General Manager with North San Joaquin Water Conservation District (NSJWCD) and South San Joaquin Irrigation District (SSJID) Public Affairs staff met with Senator Eggman to discuss support for the natural resources bonds. Senator Eggman is expecting a considerable decrease in bond amounts as the Governor is heavily focused on the mental health bond. Senator Eggman is working on her own bond legislation related to flood projects.

Manager Hopkins reported he met with the Urban Contractors to discuss operations coordination related to the Water Treatment Plant (WTP) shut down. The WTP will soon be switching to a 50/50 mix of gas chlorine and sodium hypochlorite until all of the gas chlorine has been used. Manager Hopkins reported there was some difficulty opening the 48-inch butterfly valve. As a result, Manager Hopkins met with staff to discuss single points of failure which most have been mitigated by having replacement parts in stock.

Manager Hopkins reported the District has received one application for the Division 6 vacancy. Manager Hopkins stated the application deadline is tomorrow, February 7<sup>th</sup> at end of day.

### 4. Stockton East Water District Finance Update

Finance Director Ram reported staff are making steady progress on preparing and sending out 2023 Final Bills to customers by the end of the month. Last year, the Board directed staff to diversify investment of District funds. During the last quarter, the District earned \$427,000 in interest income. Local Agency Investment Fund (LAID) had a 4.012% interest rate and California Class had 5.54%.

## G. DIRECTOR REPORTS

1. Greater Stockton Chamber of Commerce Monthly Mixer – Verve IT, 02/01/24

## H. COMMUNICATIONS

## I. AGENDA PLANNING/UPCOMING EVENTS

1. ACWA State Legislative Committee Meeting, 10:00 a.m., 02/09/24

2. Stockton Area Water Suppliers (SAWS) Meeting, 1:00 p.m., 02/09/24  
*\*This meeting was cancelled\**
3. San Joaquin County and Delta Water Quality Coalition Steering Committee Meeting, 9:00 a.m., 02/12/24
4. District Holiday – Lincoln’s Birthday, 02/12/24

**J. REPORT OF THE COUNSEL**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION Potential exposure to litigation – Government Code  
Section 54956.9 – two cases

President Atkins adjourned the meeting to closed session at 1:34 p.m. The regular meeting reconvened at 2:24 p.m., with no reportable action.

**K. ADJOURNMENT**

President Atkins adjourned the meeting at 2:25 p.m.

Respectfully submitted,



Justin M. Hopkins  
Secretary of the Board

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