

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors *OK*

BOARD AGENDA # \*A-2

Urgent  Routine

AGENDA DATE September 30, 2014

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Acceptance of Appointment of Stephen Perez to the El Solyo Water District Board of Directors

STAFF RECOMMENDATIONS:

Accept the appointment of Stephen Perez to the El Solyo Water District Board of Directors until the next District election in 2015.

Contact person: Christine Ferraro Tallman, Clerk of the Board

Phone number: 209-525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this agenda item.

BOARD ACTION AS FOLLOWS:

No. 2014-493

On motion of Supervisor Monteith, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

ATTEST:

*Christine Ferraro*  
CHRISTINE FERRARO TALLMAN, Clerk

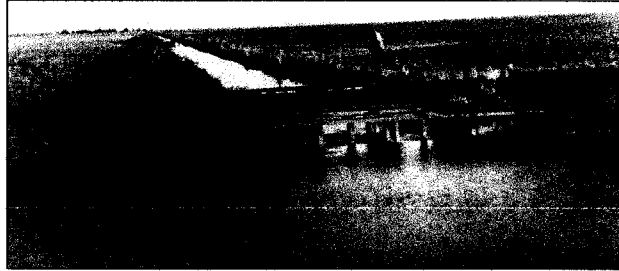
File No.

# El Solyo Water District <sup>2014 SEP 26 A 10:38</sup>

Directors

James W. Lopes  
Steve McManis  
Greg Nunes  
Henry Bettencourt  
Stephen Perez

Delivering Water  
Since 1920



Riparian Rights 1918

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Established 1959

Stanislaus County Board of Supervisors  
Christine Ferraro Tallman, Clerk of the Board  
1010 Tenth Street, Suite 6700  
Modesto, CA 95354

September 22, 2014

Dear Ms. Ferraro-Tallman,

The El Solyo Water District Board of Directors respectfully requests that the Stanislaus County Board of Supervisors appoint Mr. Stephen Perez to our Board as of our meeting on August 20, 2014. Mr. Perez will be replacing John M. Morris on our board since his resignation at our meeting on July 16, 2014. I have enclosed a copy of the minutes from this meeting qualifying Mr. Perez to this position.

I have also sent a letter informing the Election Division.

Thank you for your time and consideration.

Sincerely,

Janice Trinkle  
Secretary / Manager

MEETING OF THE BOARD OF DIRECTORS  
EL. SOLYO WATER DISTRICT  
542 CENTER ROAD, VERNALIS, CA 95385  
(209) 602-2513

August 20, 2014 9 a.m.

Directors: James Lopes, Greg Nunes, Steve McManis, Henry Bettencourt and Johnny Morris.

**CALL TO ORDER:** Called to order at 9AM by President James Lopes. Present were Directors Steve McManis, and Henry Bettencourt. Absent was Director Nunes. Also present were President of the Stanislaus County Board Director Jim DeMartini and Attorney at Law Rod Attebery of Neumiller & Beardslee from Stockton.

**PUBLIC COMMENT:** None

**ADDITIONS AND DELETIONS TO THE AGENDA:** Jan wanted to add **Rules & Regulations** amendment for correction since it was the intent of the Board to change the By-Laws to be able to place a **family member** not a sibling on the Board, it will be recorded here. All agreed this was correct.

**APPOINTMENT TO THE BOARD TO FILL John Morris position,** the Board received a Letter from Stephen Perez with an interest to become a member. A motion was made by Director Bettencourt and second by Director McManis to accept Stephen Perez to the Board. All agreed and motion passed. Director Perez was sworn in to office.

**APPROVAL OF THE MINUTES: Meeting for July 16, 2014** and Special Meeting Closed July 22, 2014 were approved with corrections with a motion from Director Bettencourt and a second from Director McManis.

**FINANCIAL REVIEW: Distribution Register Main Account, Distribution Register Account #2, and Credit Card review - Customer Balance Sheet and Company Balance Sheet** were all reviewed and accepted as presented with a motion from Director McManis and a second from Director Perez. **Water Rates Review** was discussed. Janice stated with the low river and repairs needed on the turbines at the river because of the sand and litigation costs; we need to perhaps raise water rates. Some discussion with no action but moved to the September meeting for further discussion.

**MANAGEMENT & MAINTENANCE REPORT: Labor Contractor Jan** dropped one man for cleaning at River each day. **Main Canal** filling with sand on the west side of Pump House One and will need to be cleaned after season since water deliveries have slowed down. Pump House One doing well with **Low River** but of course our income is down over 120,000.

**OLD BUSINESS: Conflict of Interest** Review was discussed with no changes. Motion was made by Director McManis and Second from Director Perez on accepting the Conflict of Interest as it stands with no changes. All agreed.

**NEW BUSINESS:** Review Audit 2012-2013 by Blomberg & Griffin was approved after some discussion from Director Lopes noticing there were no recommendations which can be included in an audit. Motion was made by Director McManis and seconded by Director Bettencourt. **Ag Aggregated Farm Gate Report** was reviewed by the Board. Janice stated that this is the same information sent to the state in our yearly report but for another department. **Flood Insurance Review** was discussed and kept the same as last year with a slight increase in premium. **Correspondence from LAFCO** for Boards information.

**CLOSED SESSION:** Started at 9:45 am.

**Public Employee Appointment** (Title: General Counsel) Pursuant to Government Code Section 54957.

**Conference with Legal Counsel** – Significant Exposure to Litigation:

One matter involving orchard trees owned by James Lopes within a District right-of-way. Government Code Section 54956.9 (d) (2).

**Back to OPEN SESSION: 10:15 am. Public Employee Appointment** the Board interviewed Rod Attebery Attorney at Law with Neumiller & Beardslee Attorneys and Counselors from Stockton for general matters concerning any legal issues that may present themselves to the District. The Board appointed Mr. Attebery as council for the District with Director Lopes abstaining. Director Lopes at this time recused himself from the remainder of the meeting. **Conference with Legal Counsel** it was decided by the Board of Directors to move forward with litigation on the easement.

**MEETING DATE Set for September 17, 2014 9:00 am. & ADJOURN Meeting at 10:20 am.**

Respectfully Submitted,

  
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Janice Trinkle, Secretary