

MINUTES

Oakdale, California
June 15, 2010

The Board of Directors of the Oakdale Irrigation District invited all to recite the Pledge of Allegiance and then met in Regular Session at the hour of 9:00 a.m. The following Directors were present:

Directors: Al Bairos, Jr., President
Frank B. Clark, Vice President
Jack D. Alpers
Steve Webb
Herman Doornenbal

Staff Present: Steve Knell, General Manager/Secretary
Kathy Cook, Chief Financial Officer
Jason Jones, Support Services Manager
John Davids, District Engineer
Gary Jernigan, Contract and Special Projects Manager

ADDITION OR DELETION OF AGENDA ITEMS

General Manager Steve Knell requested that Action Item No. 7 be pulled from the Agenda and referred to the Planning and Public Relations Committee. Director Alpers requested that it remain on the agenda until the Board had discussed Discussion Item No. 9.

General Manager Steve Knell requested that another pending litigation be added under Closed Session Item No. 11 C. A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to add an additional pending litigation under Closed Session Item No. 11 C.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:02 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 1

There being no public comment, public comment closed at 9:02 a.m.

CONSENT ITEMS
ITEM NOS. 2, 3, 4, 5, 6,

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES
OF THE REGULAR MEETING OF JUNE 1, 2010
AND RESOLUTION NOS. 2010-29, 2010-30, AND 2010-31

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of June 1, 2010 and Resolution Nos. 2010-29, 2010-30, and 2010-31.

ITEM NO. 3
APPROVE THE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Oakdale Irrigation District Statement of Obligations.

ITEM NO. 4
APPROVE THE TREASURER AND
CHIEF FINANCIAL OFFICER'S REPORT
FOR THE MONTH ENDING MAY 31, 2010

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the month ending May 31, 2010.

ITEM NO. 5
APPROVE ENCROACHMENT AGREEMENT
ON THE LANGWORTH PIPELINE (APN: 062-005-029 – BANDUCCI)

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the Langworth Pipeline (APN: 062-005-029 –Banducci).

ITEM NO. 6
APPROVE ENCROACHMENT AGREEMENT
ON THE SOUTH MAIN CANAL (APN: 010-040-010 – BROWN)

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the South Main Canal (APN: 010-040-010 –Brown).

**ACTION CALENDAR
ITEM NO. 7**

**ITEM NO. 7
REVIEW AND TAKE POSSIBLE ACTION
ON FUNDING REQUEST FOR COWBOY MUSEUM**

Oakdale Cowboy Museum is requesting funding of \$5,000 to help create an oral history library of videos of Oakdale's local ranching and farming families. Due to the amount of the request, this item is being brought to the Board for approval.

Director Alpers stated that he concurred that this item should be pulled but he would like to have a discussion prior to it being pulled. He stated that he thinks that all requests for funding should be forwarded to the Planning and Public Relations Committee prior to being presented to the Board. He stated that based on the financial impacts that the District might be facing in the future the District needs to take a hard look at these requests.

A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to refer this matter to the Planning and Public Relations Committee and then back to the Board with a recommendation.

**DISCUSSION CALENDAR
ITEM NOS. 8, 9**

**ITEM NO. 8
DISCUSSION ON BUSINESS ITEMS AS
THEY APPEAR ON THE TRI-DAM BOARD
AGENDA FOR THURSDAY, JUNE 17, 2010**

This item is placed here for the Board to discuss Tri-Dam agenda items.

Director Clark stated that some decisions appear to have been made at Tri-Dam that should have been presented to the Board for decision. He stated that the boundaries need to be reviewed on what issues should be brought to the Board for decision.

**ITEM NO. 9
DISCUSSION ON OID DONATIONS AND COMMUNITY
INVOLVEMENT POLICY AND COMMUNITY DONATION APPLICATION**

This draft policy has been reviewed by the Planning and Public Relations Committee and was brought to the full Board on March 16, 2010 for discussion. The undetermined item at that time was the amount of funding authorization permitted under Responsibility Item 3. That has been adjusted and now before the Board for either adoption or additional staff direction.

There was a lengthy discussion regarding the Donations and Community Involvement Policy.

Director Clark requested that a modification be made to the policy reflecting that any sponsorships requests for more than \$1,000 shall be reviewed by the Planning and Public Relations Committee and forwarded to the Board for approval.

The General Manager Steve Knell also stated that the policy could reflect a maximum amount that can be given under the policy. Any requests over this amount would have to become a budget request and they would have to submit their request one year ahead of time to be discussed when the budget is being prepared. The General Manager Steve Knell was instructed to re-draft the policy and bring it back to the Board as an action item.

ITEM NO. 10 **COMMUNICATIONS**

A. GENERAL MANAGERS REPORT

Safety Activities

1. 519 days without a lost-time injury accident.

Administration Activities

1. Director Frank Clark and his wife Marilyn celebrated their 50th wedding anniversary Saturday the 5th.
2. OID's and SSJID's SavetheStan program is generating some phone calls and discussions. The editorial put out by Jeff Shields and OID GM has also generated calls, mostly positive.
3. June 18th is family night at the Modesto Nuts game. We have a little over 50 attendees signed up.
4. Water Counsel will be at the July 6th Board meeting to bring the Board up to speed on all the water issues before it.
5. Working on changes to testing process for in-house positions.
6. San Joaquin River Group Commissioner's meeting scheduled for July 29th.
7. SJR Basin Plan Flow objectives are in the works by the "Regulators." It's all about more water equals more fish. We will be wrestling with this as the planning process proceeds and it will get ugly.
8. VAMP saw about 80% survival this year as opposed to last year's 50%. A few seals in the delta eating stripers may have been a benefit.
9. VAMP discussions have occurred again with the BOR. Still nebulous for the most part.
10. Legal Activities:
 - Knights Ferry-Judges written decision provided May 20th. OID's written decision on this matter was submitted to the court June 7th.
 - Lubbers-Court date set for spring of 2011. Recently responded to another interrogatory seeking information
 - Other cases, no actions pending.

Contract and Special Project Activities

1. South Main Canal and Tunnel Projects – Received a notification of a complaint filed with the Labor Board against Magorian Mine Services. Notice forward to legal counsel for review no feedback from legal counsel.
2. 2-Mile Bar Tunnel (CEQA & Engineering) – CH2MHILL completed the Mitigated Negative Declaration and it has been sent to the State Clearing House. CH2MHILL and OID are still waiting for USFWS comments on the Technical Memo sent to them in March. Discussions with the Hodgdon Enterprise landowners were initiated concerning the old canal use for an access road. Waiting on legal review of Reversal Clause in Deed of ownership. The District has responded to the Marie Atherton Trust series of questions and the responses are being reviewed by the Marie Atherton Trust beneficiaries. Presently, the answers are acceptable to the Marie Atherton Trust but, they too want to know how OID intends to address Reversal Clause of the Deed. The Marie Atherton Beneficiaries were informed about the legal review in process for the Hodgdon Enterprise property concerning the Reversal Clause. Before any further movement, the Marie Atherton Beneficiaries would like to know the OID's position on the Reversal Clause.
3. North Side Regulating Reservoir – The Notice of Completion was filed on June 9, 2010. The final construction activity, the electrical supply from PG&E, is scheduled for the week of June 21, 2010.
4. Cashman Dam Rehabilitation Project – TCB Industrial has initiated the Dispute Resolution clause of the contract for close out of the final change orders. A final offer of \$110,000 was given to TCB on May 21, 2010. This offer was rejected and countered with an offer of \$125,000. TCB's legal counsel was informed OID final offer was \$110,000 and amount of mediation would improve the offer. No response from TCB's legal counsel has been received. Waiting on TCB's response for further action by OID.
5. A Construction Project Administration and a Concrete Quality Control program continued with the Contracts and Engineering Department. Also, the development of a Construction Administration Manual continued.

Contract Administration activities on contracts to be renewed and/or issued, Work Releases and Change Orders for all contracts.

Construction Activities

1. Conducting routine maintenance on District Facilities.
2. Performance Evaluation preparation.
3. Conducting various landowner meetings in regards to maintenance and gaining back drive able access.
4. Processing Job Set Up Forms from the Water Department.
5. Preparing for the Honolulu Bar Project slated to start the first week in July.

Engineering Activities

1. V.A. Rodden – Annexation Agreement revisions complete. DRAFT LAFCO Application complete. 1st baseline biological assessment completed 4/29/10. Diane said it was still a bit wet and so they will make a second visit this week. Summary report should be completed around this week. CEQA can't move forward until the baseline biological

- assessment has been completed. Email communication with Ms. Moore dated 5/10/10 indicates that there are no biological issues of concern on the site.
2. Ongoing project management with Provost and Prichard. Weekly meetings held every Thursday.
 3. Joslin – DRAFT LAFCO Application complete. Baseline biological assessment completed by Diane Moore on 4/29/10. Email communication with Ms. Moore dated 5/3/10 indicates that the site is biologically unremarkable. Summary report should be completed this week.
 4. Furtado Deep Well Site Project – Trying to resolve well drilling complications with Mr. Nielsen and Mr. Kamper. One (1) title exclusion for oil, gas and mineral rights still being resolved with Chicago Title before we can close escrow. Water Utilities has sent off DWR Drill Log request and we haven't received a response to date. Water Utilities also reviewing feasibility of installing an annular seal on the existing well.
 5. Honolulu Bar Mitigation Project – All permit applications have been deemed complete (i.e. 401, 404, LSBAA, Corp Lease, State Lands, etc.). O&M and M&M plans submitted to USACOE for review on 6/4 and 6/7 respectively. Major hurdle is the Flood Control District and making it on their June Board meeting agenda. Estimated cost overruns reviewed by Staff and prepared for subsequent Board review as necessary.
 6. Continued Environmental assistance with Two Mile Bar Tunnel Project. Request for Consultation and Biological Tech Memo submitted to Maryann Owens with USFWS on 3/2/10. Additional Tech Memo submitted to Maryann as requested and have received no feedback to date. MND sent to State Clearing House last week.
 7. Willms Ranch – Legal Counsel Review
 8. Postma – Encroachment Agreement awaiting signature.
 9. Stueve – Encroachment Agreement awaiting signature.
 10. Patterson Deed – Procedural requirements for surplus property complete as set-forth by Counsel. Staff preparing summary of alternatives for subsequent Water Committee review at today's meeting.
 11. Fringe Parcel Analysis – Met with Water Committee on 5/18/10. Subsequent correspondence sent to two (2) of the three (3) parcels reviewed. Next three (3) parcels will be reviewed by the Water Committee today.
 12. Kevin Sosinsky – Numerous discussions and information provided. Attendance at today's meeting is expected.
 13. Martin Dairy Encroachments – On-site meeting held 5/20/10. Infrastructure installed by D&M Backhoe last week. Turnout structures with gates to be installed by OID this winter work season. Encroachment Agreement application has not been received to date.
 14. Knights Ferry – Costs estimates and alignments reviewed by BOD on 5/18/10. No further action until directed to do so. Wills Lateral off North Main alignment has been surveyed, pipe sized/delivered and preliminary meetings have been held with Ms. Boatright. Second meeting with Ms. Boatright and her partner was held 4/5/10. DRAFT Agreement for installation of the new pipeline has been prepared and reviewed by Staff. To Water Committee for review today.
 15. SCADA – Assisting Mr. Davis as necessary. Cashman Dam upstream level control issues have been resolved.
 16. Boundary Flow Measurement – May flow data downloaded and summary sent to GM for review last week.

17. Honchariw – Legal Counsel Review.
18. Claribel Lateral Drain Water Measurement – Sontek meter installed and fully operational as of 5/26/10. As of 6/9 we had recorded 113 AC-FT with an average flow equal to approximately 3 cfs.
19. Rubicon – TCC Pilot Program approved by Board on 6/1 and subsequent facility field review to be conducted with design team in late June.
20. SBX7-7 – JBD to represent OID on the Agricultural Stakeholder Committee
21. USEPA NPDES Permit for Pesticide Applications – Review with Pesticide Department as requested by ACWA.
22. North Main Canal Flow Measurement – Watermark Engineering currently reviewing flow discrepancies.
23. Frymire Headgate – Working with Water Department, Tri-Dam and Mr. Davis to address what needs to be done to integrate control of the headgate into OID's system. Meeting with Ed Kisling set for today.
24. OID Engineering Department working on misc. designs for the 2010/2011 winter work season.
25. Processing numerous requests for information and CEQA - Early Consultation reviews.
26. North Side Regulating Reservoir – PG&E set for service connection the week of June 21, 2010.
27. STANCO Ground Water Exportation Ordinance - Staff has provided additional comments and delivered that to STANCO last week.

Water Operations Activities

Aq Water

1. Currently running 12 day rotations
2. Magnacide applications have begun
3. Algae in canals is worse than normal this year
4. Working with Rubicon to resolve some issues
5. Various landowner meetings
6. Have a DSO out on non-work related injury. Currently scheduled back to work 7-8-10

Water Utilities

1. Finished annual testing of the 319 backflow prevention assemblies under OID's jurisdiction. These backflows have to be tested annually by AWWA certified personnel, with copies of the test results sent to the State & County health departments. OID's WUD personnel are AWWA Certified testers.
2. Monthly Coliform Bacteria water quality samples were collected on June 1st. No problems to report. All domestic systems are operating normally and without restrictions.
3. Finished OID's 21st annual CCR (Consumer Confidence Report). This is a mandated annual water quality report which has to be sent out to each of OID's domestic water customers. OID has 7 different systems so there are 7 different reports. The reports have to be mailed out by July 1st of each year.
4. Finished the "Public Water System 2009 Annual Report" to the State CPH. They started a new process this year, the report is filed electronically.

5. Furtado Well Site: Working with the State DWR on getting copies of the well drillers log for the existing well located close to OID's well site. Information on this old well may have an impact on the construction of the new well.
6. Continuing weekly servicing and inspection of OID's pumping stations. No significant problems to report.

Finance Activities

1. Worked with Springbrook's trainer the week of June 1st to setup the utility billing module. Springbrook will be back into the office the week of June 28th and we will then go "live" with our domestic water system billing.
2. Worked with OVCB and USDA on the pay-down of ID52's OVCB loan.
3. Working on and reviewing accounting processes as they apply to the new software.
4. Routine accounting functions (AP, AR, PR, billing, account reconciliations, etc.)

B. COMMITTEE REPORTS

There were no committee meetings.

C. DIRECTORS' COMMENTS/SUGGESTIONS

There were no Directors' comments.

At the hour of 9:56 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION **ITEM NO. 11**

- A. **Government Code §54956.8** - Conference with Real Property Negotiator
Negotiating Parties: OID, SSJID, SLDMWA, Stockton East Water District and Westside Interests
Property: Water
Agency Negotiators: General Manager
Under Negotiations: Price and Terms
- B. **Government Code §54956.9** - Existing Litigation
Eakin, et al. v. Oakdale Irrigation District
- C. **Government Code §54956.9(b)** - Anticipated Litigation
Two (2) Cases

At the hour of 11:00 a.m. the meeting returned to open session.

President Al Bairos, Jr., stated that coming out of Closed Session there was no reportable action.

OTHER ACTION
ITEM NO. 12

The meeting adjourned at the hour of 11:00 a.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, July 6, 2010 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Regular Joint Board Meeting for the **Tri-Dam Project** is scheduled for **Thursday, June 17, 2010 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Al Bairos, Jr., President

Attest:

Steve Knell, P.E., Secretary