

## MINUTES

Oakdale, California  
August 6, 2013

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. Upon roll call, there were present:

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

Staff Present: Steve Knell, General Manager/Secretary  
Jason Jones, Support Services Manager  
Gary Jernigan, Contracts/Special Project Manager  
Kathy Cook, Chief Financial Officer  
Eric Thorburn, Water Operations Manager

Also Present: Water Counsel Tim O'Laughlin

### **ADDITION OR DELETION OF AGENDA ITEMS**

There were no additions or deletions of agenda items.

### **ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE**

There were no items taken out of sequence.

At the hour of 9:01 a.m. the Board welcomed public comment.

### **PUBLIC COMMENT ITEM NO. 1**

Tom Orvis with Stanislaus County Farm Bureau was present and thanked the Directors for the donation of the tunnel tour to the Farm Pac Annual Dinner. Bank of Stockton was the highest bidder on this item and will be contacting the District.

He also stated that the University of California Cooperative Extension (UCCE) and the California Range Land Coalition will be holding a workshop conference in Oakdale on January 22, 2014 and the subject will be conversion of range land. He believed that it would consist of one day of meetings and one day of tours. He will keep the Board apprised of further developments of the workshop.

He further stated that Stanislaus County has asked Ag Advisory to start looking at groundwater. He stated that what this means is that they are starting to look at adjudication.

There being no further Public Comment; Public Comment closed at 9:10 a.m. and the Board Meeting continued.

Director Alpers requested that Item Nos. 4 and 6 be pulled from the Consent Calendar.

**CONSENT ITEMS**  
**ITEM NOS. 2, 3, 5, 7, 8, 9, 10**

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTORS' MINUTES**  
**OF THE REGULAR MEETING OF JULY 16, 2013 AND**  
**RESOLUTION NOS. 2013-50, 2013-51, 2013-52, and 2013-53**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of July, 16, 2013 and Resolution Nos. 2013-50, 2013-51, 2013-52, and 2013-53.

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

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

**ITEM NO. 5**  
**APPROVE GENERAL SERVICES**  
**AGREEMENT WITH TESCO CONTROLS, INC.**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the General Services Agreement with Tesco Controls, Inc.

**ITEM NO. 7**  
**APPROVE WORK RELEASE NO. 036 TO THE PROFESSIONAL**  
**SERVICES AGREEMENT WITH GIULIANI & KULL FOR**  
**PROFESSIONAL SERVICES TO PREPARE A PLAT AND LEGAL**  
**DESCRIPTION FOR A 30' PIPELINE EASEMENT FOR THE UNION LATERAL**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Work Release No. 036 to the Professional Services Agreement with Giuliani & Kull for professional services to prepare a plat and legal description for a 30' pipeline easement for the Union Lateral.

**ITEM NO. 8**  
**APPROVE WORK RELEASE NO. 037 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GIULIANI & KULL FOR PROFESSIONAL SERVICES TO PREPARE A PLAT AND LEGAL DESCRIPTION FOR A 30' PIPELINE EASEMENT FOR THE KEARNEY LATERAL**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve Work Release No. 037 to the Professional Services Agreement with Giuliani & Kull for professional services to prepare a plat and legal description for a 30' pipeline easement for the Kearney Lateral.

**ITEM NO. 9**  
**APPROVE ENCROACHMENT PERMIT ON THE CRAWFORD PIPELINE (APN: 062-002-001/007 – PACIFIC GAS & ELECTRIC)**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve Encroachment Permit on the Crawford Pipeline (APN: 062-002-001/007 – Pacific Gas & Electric).

**ITEM NO. 10**  
**APPROVE FENCING AGREEMENT ON THE EDWARDS LATERAL (APN: 229-090-05 – CHARLES W. BECKETT AND BARBARA BROWN BECKETT TRUST)**

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Fencing Agreement on the Edwards Lateral (APN: 229-090-05 – Charles W. Beckett and Barbara Brown Beckett Trust).

**ACTION CALENDAR**  
**ITEM NOS. 4, 6, 11, 12**

**ITEM NO. 4**  
**APPROVE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS**

Director Alpers asked if it was possible for the District to manufacture the slide gates. Support Services Manager Jason Jones stated that the slide gates are cast iron and it is not possible for the District to manufacture the gates.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the following Assignment of Capital Work Order Numbers:

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Wyatt Deep Well	Inspection of pump column, line shaft bearing and bowl assembly.	\$30,000	2013-019
River Road Lateral	Remove & upgrade turnout gate with 16" Fresno 101C slide gate.	\$ 2,400	2013-020

Palmer Lateral	Remove and upgrade turnout with measurable turnout to include precast turnout to include precast MBI structure, 24" Fresno 101C slide gate, 40' of 100 PIP PVC and necessary appurtenances.	\$12,200	2013-021
Root Lateral	Remove & upgrade slide gate with 24" Fresno 101C slide gate.	\$ 2,900	2013-022
Stowell Lateral	Remove and upgrade turnout with precast MBI structure, 24" Fresno 20-10C slide gate 20' of 100 PIP PVC and necessary appurtenances.	\$12,299	2013-023
Stowell Lateral	Remove & upgrade turnout gate with 30" Fresno 20-10C slide gate.	\$ 4,699	2013-024

**ITEM NO. 6**  
**APPROVE AMENDMENT NO. 03 TO PROFESSIONAL SERVICES**  
**AGREEMENT 2009-PSA-0004 WITH DAMRELL, NELSON, SCHRIMP,**  
**PALLIOS, PACHER & SILVA FOR REVISED HOURLY FEE AND RATE SCHEDULE**

Director Alpers stated if this individual is just a summer assistant he feels that the hourly rate is high. Director Alpers asked Water Counsel Tim O'Laughlin what his law firm pays for a summer associate. Mr. O'Laughlin replied that if the individual has graduated from college and is waiting for his/her bar results they usually get paid somewhere in the \$100 range and if this person is currently attending college and has not graduated then they usually get paid somewhere in the range of \$40 to \$80 per hour.

A motion was made by Director Webb and seconded by Director Clark to approve Amendment No. 03 to Professional Services Agreement 2009-PSA-004 with Damrell, Nelson, Schrimp, Pallios, Pacher & Silva for revised hourly fee and rate scheduled and was voted as follows:

Ayes: Directors Webb, Clark  
Noes: Directors Alpers, Bairos, Doornenbal

The motion failed by a vote of 2-3. Staff was directed to look into the hourly rate and bring the matter back to the Board on August 20, 2013.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION TO**  
**CERTIFY THE VOTE OF IMPROVEMENT DISTRICT NO. 51**  
**MEMBERSHIP TO APPROVE THE ELECTION OF COMMITTEE MEMBERS**

At the fall 2012 rate setting meeting with Improvement District No. 51 (ID 51) Committee Members it was recommended by OID staff that ID 51 draft a Rules and Regulations for Annual Meetings and Election of Committee Members Policy (Policy). The Policy outlines the election of committee members and their responsibilities, and sets a month in which an annual meeting shall be held. On February 19, 2013 the Board certified the Vote of ID 51 to approve the Rules and Regulations for Annual Meeting and Election of Committee Members Policy (Policy).

Thereafter, on June 17, 2013 a letter was forwarded to the ID 51 Membership to solicit nominations for the election of three (3) Committee Members. On July 10, 2013, following the nomination of Committee Members, the District forwarded the ballot for election of Committee Members. The vote of ID 51 for the Election of Committee Members is being submitted to the Board for certification.

The ID 51 Membership has elected the following Committee Members:

Dale Price  
Doug Stidman  
Jim Vermeulen

A motion was made by Director Alpers, seconded by Director Bairos, and unanimously supported to certify the vote of Improvement District No. 51 Membership to Approve the Election of Committee Members.

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION TO CANCEL AND/OR**  
**RE-SCHEDULE THE OAKDALE IRRIGATION DISTRICT**  
**BOARD MEETING SCHEDULED FOR SEPTEMBER 17, 2013 AND**  
**THE TRI-DAM BOARD MEETING SCHEDULED FOR SEPTEMBER 19, 2013**

Three of the five Directors will be attending the CSDA Conference in Monterey, from September 16, 2013 to September 19, 2013. This is being brought to the Directors' attention to discuss whether or not the Board Meeting scheduled for September 17, 2013 and the Tri-Dam Board Meeting scheduled for September 19, 2013 should be re-scheduled and/or cancelled.

A motion was made by Director Bairos, seconded by Director Webb, and unanimously supported to cancel the Board Meeting scheduled for September 17, 2013, to authorize staff to pay the necessary bills. The Board also agreed that President Frank Clark should contact the General Manager Dan Pope of Tri-Dam to request that the cancellation and/or rescheduling of the Tri-Dam Meeting be placed on the Tri-Dam agenda for August 15, 2013.

**DISCUSSION**  
**ITEM NOS. 13**

**ITEM NO. 13**  
**DISCUSSION / UPDATE ON LETTER**  
**FORWARDED TO TUOLUMNE BASIN WATER AGENCIES**

President Clark requested a Board update on his letter to the Tuolumne Basin water agencies sent on July 3, 2013. Enclosed with this agenda are responses from Turlock Irrigation District and San Francisco Public Utilities Commission.

Modesto Irrigation District General Manager (Interim) Roger VanHoy indicated MID had some questions on President Clark's letter and would be sending those questions over for a clarification response and/or a meeting. As of the preparation of this agenda report, OID had not yet received those questions.

Since preparing the Agenda the General Manager Steve Knell received correspondence from the Modesto Irrigation District a copy of which was provided to the Directors.

## **ITEM NO. 14** **COMMUNICATIONS**

### **A. GENERAL MANAGERS REPORT**

#### **Safety Activities**

1. OID has gone 93 days without a lost time injury accident.

#### **Administration Activities**

1. The Shively bridge encroachment agreement still has not been returned to OID with signatures. Upon re-initiation with their attorney we are assured these will be here for placement and approval by the Board at their August 20<sup>th</sup> meeting.
2. At the July 24<sup>th</sup> LAFCO meeting the agency unanimously approved the Trinitas Annexation. A few more filing fees to be paid and a 30 day waiting period needs to occur before a Certification is issued; brought to the Board; and approval by the OID Board.
3. Sat in on a webinar on California salaries; direction and challenges.
4. Attended two Settlement Process workshops in Sacramento on July 25<sup>th</sup>. One on objectives and one on Water Management.
5. Talked to a Ken Galas regarding annexation and availability of water from OID.
6. Tour of North Main Canal through Steve Fields' property on July 29<sup>th</sup> with Mr. Fields. He's putting together an improvement plan for our consideration which includes improving the canal.
7. Attended Blane Nay's funeral. An OID DSO who was killed in an afterhour vehicular accident while on vacation.
8. MWD Tour attended on July 30-31<sup>st</sup>. It was a good tour. Learned a lot and had good discussions on MWD's pursuit of BDCP and the political climate we are in and the opportunities to get something done. Met quite a few farmers and directors from the north Sac Valley.
9. GM to be on vacation from the 12-15<sup>th</sup>.

#### **Contract and Special Project Activities**

1. Two-Mile Bar Tunnel (CEQA & Engineering) – CH2M HILL received word last week the final comments were being circulated internally. The Corps indicated the final EA document would be out for public comment in August. There is a 30 day review period and the feeling is there will not be any significant comments from the public. Once that is complete, a final EA and the FONSI and then the Corps can issue the permit. The indication was sometime in September. But, there was not a year stated.
2. Two-Mile Bar Tunnel Final Design – The design process has been completed and the drawings revised with the comments from the final review. The review process was

completed on May 17, 2013 and the revised drawing comments were completed and returned to Condor on June 6, 2013. The specification writing was completed with the specifications and contract documents provided to OID on June 6, 2013 for their review and returned on July 8, 2013. The Geotechnical Baseline Report (GBR) development has been completed and was transmitted to OID on July 22, 2013. Also received on July 22, 2013 was the Cost Estimate completed and transmitted to OID for their review. Both of these documents are to be returned no later than August 16, 2013 for Condor to be included with the final project report and contract documents. As previously stated, the initial indication is the bare cost will be approximately \$12.3 million down from the original estimates due to the decreases in rebar and concrete pricing, additional geotechnical investigations resulting in a better knowledge of the geology for determining the means and methods. Also helped was the tunnel configuration was changed to a simpler design enhancing the tunnel construction. The total cost with contingency, Construction Management, OID costs and some other potential costs would be approximately \$15.0 million. The final design, contract documents, and cost estimate was provided to OID on July 22, 2013. All Tasks have been completed with the Final Design, Contract Documents, GBR, and Cost Estimate in the final preparation and were issued for the final review and must be returned to Condor on August 16, 2013.

3. Beardsley Reservoir Recreational Improvements – Ford Construction started work on the Black Oak Flat Campground on May 15, 2013 with the clearing, grubbing, and logging. The logging was completed and the trees removed on May 22, 2013. The clearing and grubbing was completed on May 31, 2013. The construction work began on June 3, 2013 and has progressed very well. All indications are the Black Oak Campground will be completed on or about August 9, 2013. The contract date for completion is August 23, 2013. The only work outstanding is the installation of the campsite fixtures, fine grading of four (4) campsites, bollard installation and striping of the asphalt. The Beardsley Campground and Boat Ramp construction will start on September 9, 2013 and complete in early November. The offsite water line construction will begin August 12, 2013 and complete September 6, 2013. There have been three (3) change orders amounting to \$8,567.66 for a revised contract amount of \$4,402,157.66. There has been one claim submitted for the Beardsley Campground for additional earthwork in the amount of \$116,000. On July 25, 2013, Ford Construction provided the final “As-Built” topo for comparison for the Beardsley Campground. The claim is being reviewed by the Engineer and Staff to prepare a response. Also, Staff has been notified there are two more claims to be submitted for additional earthwork on the Black Oak Campground and the Beardsley Day Use Area. The basis for these claims is the same used for the Beardsley Campground. The Project’s position has been and will be there is no basis for a claim based on the fact the site was the same at the pre-bid meeting as it was on the first day of construction. Per the Bid Documents, the contractor was to verify quantities prior to submitting their bid
4. Willms Ranch Access Easement – The Willms continue with their legal issues and thus no action occurred this period. The Willms are waiting on Court decisions before moving forward.
5. Wyatt Deep Well Pump and Motor Replacement Project – A Notice of Award and a Notice to Proceed were issued to Don Pedro Pump. The contract amount is \$22,536.22. Work is to begin on August 15, 2013 and complete on August 31, 2013.
6. District Standard Specifications – No activity this period.

7. Contract Administration activities on contracts to be renewed and/or issued, Work Releases and Change Orders for all contracts. Coordination of contractors for the facility maintenance of the DSO Office and the Main office.

### **Construction Activities**

1. Conducting landowner meetings for upcoming construction projects.
2. Field review being conducted on future projects with Water Operations Manager.
3. Preparing and conducting employee evaluations.
4. Assisting as needed with Engineering Dept. tasks.
5. C&M forces are conducting routine maintenance tasks and JSF's completed by Water Dept. staff.
6. Met with Steve Fields along with the GM and Water Operations Manager on 7/29 to discuss maintenance on the North Main Canal.
7. Facilitating necessary repairs to the hydraulic actuated gates at RVL with Water Operations and Rotork Controls Inc.
8. Posted out of house for one (1) C&M Worker position.

### **Engineering Activities**

1. SBX7-7 – Field review of non-measurable turnouts to large service areas (>100 acres) was initiated to determine potential FlumeMeter installation or alternative measurement device applicability. The list generated by the DSOs will be prioritized based on flow variations during deliveries, number of customers and cumulative acreage served to make a selection of those which corrective action will be taken prior to the 2014 irrigation season.
2. Land use Conversion – Continuing to work with landowners, tenants, irrigation design companies and Support Services/Water Operations concerning ongoing and future land use conversion projects. Standard land use conversion letters going out on an as needed basis.
3. STANCO Groundwater Export Ordinance – Engineering staff attended the Water Summit meeting on July 24<sup>th</sup> during which the current draft ordinance was introduced to the broader water community. Minor comments were provided at the meeting and County staff indicated that this was just a first step, and more work will be required in the future with implementation of the permit process. The ordinance is scheduled to go before the Board of Supervisors in September.
4. Engineering staff continuing to work with landowners on encroachment signage and project close-out.
5. Engineering staff and Support Services Manager conducted various landowner meetings to notify landowners of property adjacent to or within the project boundaries of proposed 2013-14 winter projects.
6. GIS Asset Management data input and organization continued. Collection of facilities data on the North side of the District is approximately 75% complete and will continue on August 6<sup>th</sup>.

### **Water Operations Activities**

#### **Aq Water**

1. Continued to research and respond to irrigation inquiries regarding new connection possibilities, disconnects and past irrigation practices.



2. Continued to research and respond to miscellaneous irrigation and maintenance issues. Completed documentation and coordinated repairs to OID facilities with the C&M Department as necessary.
3. South Side DSOs continued to assist in affiliating turnouts from the OID facilities inventory data acquired last summer with the parcels they current serve.
4. DSOs compiled documentation on non-measureable turnouts to large service areas (>100 acres).
5. Pest Department staff continued to fill-in for DSOs on an as needed basis. Mag-H applications continued and post-emergent and berry control applications continued.
6. The thirteenth rotation in 2013 (fourteenth of the 2012-13 irrigation season) started on or about July 31<sup>st</sup> and is a 12-day rotation. The fourteenth rotation will be another 12-day rotation beginning on or about August 12<sup>th</sup>.

### **Water Utilities**

1. Improvement District No. 41:
  - Pumping Station No. 3 remains out of service due to high turbidity issues.
  - Continued to monitor small leak on the water storage tank at the Well No. 1 Station. The tank remains in service and under observation.
2. Improvement District No. 49:
  - Continued to monitor small leaks on the water storage tank at Pumping Station No. 1. The tank remains in service and under observation.
3. Improvement District No. 46:
  - On July 30<sup>th</sup> emergency repairs were made to a water main damaged while underground utilities were being installed. Half of the water system was without water for 3 hours while the repairs were being completed.
4. Rural Water System No. 1:
  - The stand-by emergency electrical generator located at the Sierra Sunset Pumping Station was removed from service on Friday July 5<sup>th</sup> due to electrical sensor problems. The unit was inspected and tested by Industrial Electrical on July 17<sup>th</sup>, repair parts are on order.
  - Discovered leaking service connection line in the Sierra Sunset Subdivision. Repairs were made by Mozingo Construction on July 22<sup>nd</sup>.
5. Domestic Water Pumping Stations:
  - Staff continues to conduct weekly inspection, servicing and security checks of the pumping stations. There is nothing unusual or out of the ordinary to report.
6. Aquatic Pesticide Plan:
  - Collected initial set of water quality samples on the Claribel Lateral on July 22<sup>nd</sup>.
  - Collected back-up set of water quality samples on the Claribel Lateral on July 29<sup>th</sup>.
7. On-Call Activities:
  - Wednesday, July 17<sup>th</sup> – Staff responded to a call from the Water Department regarding the Crane Deep Well. A PG&E power problem was corrected.
8. Irrigation Pumping Stations:
  - Workman #2 Pump was out of service for a day due to PG&E issues.
  - Furtado Deep Well Pump VFD failed on July 10<sup>th</sup>. The site remains operational by using the MCP while repairs are initiated by Industrial Electric.

**B. WATER COUNSEL'S REPORT ON STATUS OF WATER ACTIVITIES**

Water Counsel Tim O'Laughlin was present and gave the Board an update on water activities.

**C. COMMITTEE REPORTS**

There were no Committee Meetings.

**D. DIRECTORS' COMMENTS/SUGGESTIONS**

There were no Directors' comments.

At the hour of 10:33 a.m. the Board adjourned to Closed Session

**CLOSED SESSION**  
**ITEM NO. 15**

- A. *Government Code §54956.8*** - Conference with Real Property Negotiator  
Negotiating Parties: 2013/2014 Water Transfer Opportunities  
Property: Water  
Agency Negotiators: General Manager and Counsel  
Under Negotiations: Price, Terms and Availability
- B. *Government Code §54956.8*** - Conference with Real Property Negotiator  
Negotiating Parties: San Joaquin River Settlement Process  
Property: Water  
Agency Negotiators: General Manager and Counsel  
Under Negotiations: Settlement Proposal
- C. *Government Code §54957.6*** - Conference with Labor Negotiator  
Agency Negotiator: General Manager  
Unrepresented Employee Organization: Exempt Management, Exempt Supervisory and Confidential Employees

At the hour of 12:10 p.m. the Board adjourned to open session

Coming out of Closed Session President Frank Clark stated that there was no reportable action.

**OTHER ACTION**  
**ITEM NO. 16**

The Board Meeting adjourned at the hour of 12:10 p.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, August 20, 2013 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Joint Board Meeting for the **Tri-Dam Project** is scheduled for **Thursday, August 15, 2013 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

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Frank Clark, President

Attest:

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Steve Knell, P.E., Secretary