

MINUTES

Oakdale, California
October 4, 2005

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
Louis Brichetto
Tony Taro
Jack D. Alpers
Steve Webb

Staff Present: Steve Knell, P.E., General Manager/Secretary
Kathy Cook, Chief Financial Officer
Gary Jernigan, Support Services Manager

Also Present: Michael Ijams, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

None.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

None.

General Manager, Steve Knell, requested that Item No. 2 be removed from the Consent Calendar.

Director Clark requested that Item Nos. 3 and 12 be removed from the Consent Calendar.

Thereafter a motion was made by Director Clark, seconded by Director Taro, and unanimously supported to remove Item Nos. 2, 3, and 12 from the Consent Calendar.

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

PUBLIC COMMENT ITEM NO. 1

There was no public comment.

Public Comment was closed at 9:02 a.m. and the Board Meeting continued.

CONSENT ITEMS
ITEM NOS. 4, 5, 6, 7, 8, 9, 10, 11

ITEM NO. 4
APPROVE DEVELOPER AGREEMENT FOR STERLING RIDGE
PHASE IV PROJECT IN THE CITY OF RIVERBANK
(APN: 075-015-020 – JKB HOMES NORCAL, INC.)

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the Developer Agreement for Sterling Ridge Phase IV Project in the City of Riverbank (APN: 075-015-020 – JKB Homes Norcal, Inc.).

ITEM NO. 5
APPROVE GENERAL SERVICES CONTRACT
FOR VARIOUS VENDORS AND CONTRACTORS

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the Services Contracts for Various Vendors and Contractors.

ITEM NO. 6
APPROVE RESOLUTION SETTING DOMESTIC
IMPROVEMENT DISTRICT RESERVE FUND CONTRIBUTIONS FOR 2006

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the Resolution Setting Domestic Improvement District Reserve Fund Contributions for 2006.

ITEM NO. 7
APPROVE A RESOLUTION SETTING DOMESTIC
IMPROVEMENT DISTRICT OPERATION CHARGES AND
MAINTENANCE AND OTHER RELATED CHARGES FOR 2006

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the Resolution Setting Domestic Improvement District Operation and Maintenance Charges and Other Related Charges for 2006.

ITEM NO. 8
APPROVE RESOLUTION FOR IMPROVEMENT DISTRICT NO. 22
CALL FOR THE INSTALLMENT OF A 2005/2006 ASSESSMENT
ON THE DEPARTMENT OF WATER RESOURCES NEW WELL LOAN PAYMENT

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the Resolution for Improvement District No. 22 call for the installment of a 2005/2006 assessment on the Department of Water Resources New Well Loan payment.

ITEM NO. 9
APPROVE PROPOSED ASSESSMENT FOR THE
MOSQUITO, VECTOR AND DISEASE CONTROL SERVICES

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the proposed assessment for the Mosquito, Vector and Disease Control Services.

ITEM NO. 10
APPROVE A REVOCABLE LICENSE AGREEMENT FOR USE OF
DISTRICT PROPERTY AT THE HILLSBOROUGH NO. 1 PUMPING STATION

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve a Revocable License Agreement for use of district property at the Hillsborough No. 1 Pumping Station.

ITEM NO. 11
APPROVE REJECTION OF
CLAIM FILED BY NICOLE LOTT

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to reject the claim filed by Nicole Lott and forward it to the insurance carrier for handling.

ACTION ITEMS
ITEM NOS. 2, 3, 12
ITEM NO. 2
APPROVE THE BOARD OF DIRECTOR'S MINUTES OF THE
REGULAR MEETING OF SEPTEMBER 20, 2005
AND RESOLUTION NO. 2005-29 and 2005-30

General Manager, Steve Knell, stated that a correction should be made on the Minutes of the Regular Meeting of the Board of Directors held on September 20, 2005 to Item No. 21 of the Action Calendar. Specifically, the heading of Item No. 21 should be corrected to state, "Review and Take Possible Action on an Encroachment Agreement Request for the Adams No. 1 Pipeline (APN: 064-025-016).

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Board of Director's Minutes of the Regular Meeting of September 20, 2005 and Resolution Nos. 2005-29 and 2005-30, once the requested correction has been made to the Minutes.

ITEM NO. 3
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

Mr. Foard had a question regarding the number of Bobcats that the District rents. Gary Jernigan, Support Services Manager, responded that the District owns one and rents one.

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

ITEM NO. 12
APPROVE REJECTION OF
CLAIM FILED BY STAN WAGGONER

Director Clark discussed the claim filed by Stan Waggoner and stated that the District should pay the claim. Thereafter, a motion was made by Director Taro, seconded by Director Webb, and unanimously supported to pay the claim filed by Stan Waggoner in the amount of \$793.69.

DISCUSSION ITEM
ITEM NO. 13

DISCUSSION OF LANDOWNER CONCERNS
ON THE ERLANGER PIPELINE

Mr. Brian Kamper was present at the Board Meeting. After a discussion, it was decided that Gary Jernigan, Support Services Manager, should put together an estimate of what the cost would be to replace the 660 feet of the Erlanger pipeline and bring it back before the Board as an action item.

At the hour of 9:22 a.m. a motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to move to Closed Session.

CLOSED SESSION
ITEM NO. 14

Closed Session to discuss the following:

A. Government Code §54956.9 Existing Litigation

- | | |
|---------------------------------------|-------------------|
| (1) <i>Fields</i> | (4) <i>RTC</i> |
| (2) <i>Goad</i> | (5) <i>Cahoon</i> |
| (3) <i>Banducci v. Fields, et al.</i> | |

At the hour of 10:02, a motion was made by Director Webb, seconded by Director Bricchetto, and unanimously supported to move to Open Session.

It was reported by Director Clark that no action was taken in the closed session.

Director Taro left the meeting at 10:03 a.m.

COMMUNICATIONS
ITEM NO. 15

A. GENERAL MANAGER'S REPORT ON STATUS OF OID ACTIVITIES

Irrigation Activities

1. Season winding down with a lot of passes occurring on the last irrigation.

Safety Activities

1. Trench Safety classes completed
2. OID is up to 510 days for which OID has not had a lost time injury accident.

Administration Activities

- a. Much of this last period spent review the appendixes documents for the Water Resources Plan.
- b. Schedule for completion of WRP will be discussed at the Board meeting
- c. C&M is experiencing an inability to get plastic and concrete pipe. Seems that most refineries that produce the PVC resins were in east Texas. Along with that dilemma, concrete pipe orders are now 12 weeks out from being filled due to the materials change. OID is buying as much pipe as it can and warehousing the materials to at least keep some work going.

Accounting Activities

- a. Preparing for the 2006 water billings.

C&M Operations Activities

1. Sending out New General Service Agreements for Bid Purposes.
2. Had Kick Off Meeting for the Lower Cometa Crossing over the SSJID
3. Closed out Johnson-Western Contract and Granite Construction Contract
4. Developed tracking and reporting format for JSF's for the Winter Work
5. Developing Winter Work Scope and Schedules
6. Continued with project identification and Scope Development for the 2006 Capital Projects
7. Condor Completed the TDEM field work for the New Tunnel Route on the South Main
8. Continued with the Ditch Cleaning program on the Root and Frymire

Engineering Activities

1. Performing Engineering review and scope development for the Winter Work Projects
2. Supporting the C&M on a Daily Basis with engineering drawings, sketches, etc.
3. Liaison with Giuliani & Kull for the Lower Cometa Crossing of the SSJID

Water Utility Activities

1. RWS No. 1 has had no problems since this last report.

B. COMMITTEE REPORTS

Director Brichetto asked when the Ad Hoc Committee was going to be held regarding the Stewart Pond.

C. **DIRECTORS' COMMENTS/SUGGESTIONS**

Director Alpers

Director Alpers reported on the Special District Conference he attended. He stated that he attended a lot of real interesting meetings. Probably the most interesting was the Kuhel bill which is the new legislation for special districts. Fortunately, Oakdale fits all of the needs that they are demanding; they recommend five member Boards in all cases, rules for elections, etc., but we fit it all so I was surprised to find out that very little change has to be made at Oakdale. He also attended a conflict of interest seminar which was very interesting there are actually three different legal aspects you have to comply with to be within the rules.

Director Webb

None.

Director Clark

Director Clark stated that he and Jack also attended the sexual harassment training. All Board members will have to take this course before the first of the year. It is a two hour course and is mandated by law and has to be retaken every two years. There is also a new law by Assemblyman Salinas that was passed by the Governor Assembly Bill 1234 that requires all Board members to take ethics training. All Board members must have attended the two hour training course on ethics by December 31, 2006, and thereafter they have to take the training every two years. This course did not certify Jack or I because the program has not been approved by the State. Some time this coming year we will have to attend an ethic training course.

Director Brichetto

None.

OTHER ACTION
ITEM NO. 21

At the hour of 10:11 a.m. a motion was made by Director Brichetto, and seconded by Director Webb, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, October 20, 2005 at 9:00 a.m.** at the Oakdale Irrigation District Office, 1205 East F Street, Oakdale, CA 95361.

The next **regular Joint Board Meeting for the Tri-Dam Project** is scheduled for **Thursday, October 20, 2005 at 9:00 A.M.** in the Board Room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Frank B. Clark, President

Attest:

Steve Knell, P.E., Secretary