

## MINUTES

Oakdale, California  
January 23, 2014

The Board of Directors of the Oakdale Irrigation District met in Special Session at the hour of 3:00 p.m. Upon roll call, there were present:

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

Staff Present: Steve Knell, General Manager/Secretary

Also Present: Tim O'Laughlin, Water Attorney

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

There were no additions or deletions of Agenda Items.

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

Director Webb asked if anyone would like to take any items out of sequence. Director Clark requested permission to make a statement prior to taking actions out of sequence. He stated that we have a large audience and he felt that there were some people here out of concern and a lot of people here for emotional reasons. He asked President Webb to move the Closed Session item out of Closed Session and move it into Open Session and have the discussion about moving forward with the sale of water. A motion was made by Director Clark to move the Closed Session item into Open Session, and was seconded by Director Bairos for discussion.

Director Bairos asked Attorney O'Laughlin if this could be legally done. Attorney O'Laughlin stated that it can be done and it is up to the Board of Directors to make this determination. He stated that the matter is properly noticed for Closed Session, but the Board has the authority to discuss this matter in open session.

Attorney O'Laughlin asked the Board permission to make a suggestion. Attorney O'Laughlin stated that it is very hard for people to speak about something that they do not know anything about. Attorney O'Laughlin suggested that the Board move into closed session and discuss it with the Directors and then we can come back into open session. The discussion in closed session should be done by 3:30 p.m. He proposed this as a compromise to the audience.

Director Clark stated that he would like to finish his motion before moving forward with anything else.

Director Webb called for the question:

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

The motion failed by a vote of 2-3.

Director Clark recused himself from Closed Session stating that he feels that the Board is in violation of the Brown Act.

The Board moved into Closed Session, left the Board Room, and moved into the conference room at the hour of 3:08 p.m.

**CLOSED SESSION**  
**ITEM NOS. 2**

2. Closed Session to discuss the following:

A. **Government Code §54956.8** Conference with Real Property Negotiator  
Negotiating Parties: OID and Federal and State Export Contractors  
Property: Water  
Agency Negotiators: General Managers and Counsel  
Under Negotiations: Price and Terms

The Board returned to Open Session at 3:21 p.m. and Attorney O’Laughlin gave a presentation regarding the Closed Session item.

Several members of the public commented on the water transfer. These members were, Don Taro, Ray Kablano, Marvin Andretta, Chris Lang, Ken Krause, Steve Kistler, John Raggio, Modesto Bee Editor JoAnne Sbranti, Carla Schwoerer, Nate Ludlow, Fred Burtschi, Pat Kuhn, Bill Humberg, Carlos Espino, Gary Amerine, and Doreen Dunlow.

Director Webb stated that the Board has two questions that need to be addressed; first of all do we continue to have discussions with Westlands; or does the District send out a survey to the constituents to see if there is any interest in this Drought Idling Program and bring it back to the Board in a few weeks.

Director Webb polled the Directors as to whether or not they wanted to send out a survey to the constituents to see if there was any interest in the Drought Idling Program:

Director Doornenbal	Yes
Director Bairos	Yes
Director Alpers	Yes
Director Clark	No
Director Webb	No

Staff was instructed to prepare and send out a survey to the District’s constituents to see if there was any interest in participating in the Drought Idling Program.

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

Jeff Hassling stated that the District that provides customer service has an obligation to notify its constituents as to what is going on in the District.

There being no further Public Comment; the meeting adjourned at 4:34 p.m.

**ITEM NO. 3**  
**OTHER ACTION**

At the hour of 4:34 p.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, February 4, 2014 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, February 20, 2014 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1204 East F Street, CA.

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Steve Webb, President

Attest:

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Steve Knell, P.E., Secretary