

MINUTES

Oakdale, California
November 1, 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 arrived at 9:03 a.m.
Jack D. Alpers
Steve Webb

Staff Present: Steve Knell, P.E., General Manager/Secretary
Kathy Cook, Chief Financial Officer
Gary Jernigan, Support Services Manager
Kevin King, Supervisor Water Operations/Water Resources

Also Present: Michael Ijams, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

There was no addition or deletion 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

There was no public comment.

Public Comment was closed at 9:01 a.m. and the Board Meeting continued.

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to remove Item Nos. 3 and 7 from the consent calendar.

CONSENT ITEMS
ITEM NOS. 2, 4, 5, 6, 8, 9, 10, 11, 12

ITEM NO. 2
APPROVE THE BOARD OF DIRECTOR'S MINUTES OF THE
REGULAR MEETING OF OCTOBER 18, 2005 AND
RESOLUTION NOS. 2005-34, 2005-35, 2005-36, 2005-37, 2005-38, AND 2005-39

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 October 18, 2005 and Resolution Nos. 2005-34, 2005-35, 2005-36, 2005-37, 2005-38, and 2005-39.

ITEM NO. 4
APPROVE PURCHASE OF NEW POSTAGE METER

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the purchase of a new postage meter from Pitney Bowes.

ITEM NO. 5
APPROVE RESOLUTION TO
SURPLUS DISTRICT PROPERTY

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Resolution to Surplus District Property.

ITEM NO. 6
APPROVE DEVELOPER AGREEMENT FOR STERLING
HILLS PHASES I, II, AND III (APNS: 064-051-001/005
and 064-052-001/036 – JKB HOMES NORCAL, INC.

A motion was made by Directors Webb, seconded by Director Alpers, and unanimously supported to approve the renewal of vision service plan insurance coverage.

ITEM NO. 8
APPROVE CONTINUED IRRIGATION SERVICES TO THE
LANDS OF HUMMER (APN: 010-010-033 – HUMMER)

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve continued irrigation services to the Lands of Hummer (APN: 010-010-033 – Hummer).

ITEM NO. 9
APPROVE ABANDONMENT OF CLAUS PIPELINE FOR
SCM HOMES DEVELOPMENT IN THE CITY OF RIVERBANK

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve abandonment of Claus Pipeline for SCM Homes Development in the City of Riverbank.

ITEM NO. 10
APPROVE ABANDONMENT OF THE
WEST OAKDALE NO.1 PIPELINE

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve abandonment of the West Oakdale No. 1 Pipeline.

ITEM NO. 11
APPROVE GENERAL SERVICES CONTRACT
FOR CONCRETE CLEANUP AND CRUSHING

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the General Services Contract for concrete cleanup and crushing.

ITEM NO. 12
APPROVE THE CONTINUANCE WITH UNITED AGRI
PRODUCTS FOR THE SUPPLY OF PESTICIDES

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the continuance with United Agri Products for the supply of pesticides.

ACTION ITEMS
ITEM NOS. 3, 7, 13, 14, 15, 16

ITEM NO. 3
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

Director Brichetto had a question concerning the payment to Andreetta's Ag. Construction for the cattle guards on the North Main. Director Brichetto wanted to know where these services were being performed on the North Main. Support Services Manager, Gary Jernigan, stated that they were being installed at the Olive Grove entrance off of Lone Tree Road to the Rodden Dam and the Cape Horn Tunnel. Director Brichetto also wanted to know if the payment to CH2M Hill was the last payment on the Water Resources Plan. General Manager, Steve Knell stated no, and Chief Financial Officer, Kathy Cook, stated that we are at 85% of the total contract price.

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

ITEM NO. 7
APPROVE ENCROACHMENT AGREEMENT ON THE
HIRSCHFELD PIPELINE (APN: 027-032-009 – BENEDIX)

Director Alpers asked if we had sufficient engineering performed so that heavy equipment could be driven on the encroachment.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the Hirschfeld Pipeline (APN: 027-032-009 – Benedix).

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION TO DESIGNATE
A VOTING DELEGATE AT THE ACWA GENERAL SESSION

Pursuant to the ACWA Conference, a voting delegate must be designated prior to the conference in order for OID to vote on any issues that may be taken up by the General Session.

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to designate Director Frank Clark as the voting delegate at the ACWA General Session.

ITEM NO. 14
REVIEW AND TAKE POSSIBLE ACTION TO AUTHORIZE
DISTRICT EMPLOYEES TO VOLUNTARILY DONATE
EARNED VACATION AND/OR SICK LEAVE DAYS

Several District employees have requested authorization to donate vacation and/or sick leave to one of their fellow employees that is faced with assisting in care for a parent under Family Medical Leave. This employee may not have sufficient sick leave and/or vacation to be able to provide this care and several employees wish to donate some of their earned vacation and/or sick leave. The Board has been provided with a confidential memorandum which more fully sets forth the circumstances surrounding this request.

A motion was made by Director Webb, seconded by Director Taro, and unanimously supported to authorize District employees to voluntarily donate earned vacation and/or sick leave days.

ITEM NO. 15
REVIEW AND TAKE POSSIBLE ACTION
ON REJECTION OF MILLS' CLAIM

Mr. Andrews Mills submitted a claim for damages sustained by his automobile which were allegedly caused by an OID gate.

Management makes no assertion as to fault in this case, only that the damages involved should be addressed by our insurance carrier and not OID staff.

After a discussion, a motion was made by Director Alpers and seconded by Director Taro to pay Mr. Mills' claim of \$4,865.09, and was voted as follows:

Ayes: Directors Alpers, Taro
Noes: Directors, Clark, Webb, Bricchetto

The motion failed.

A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to reject the claim of Mr. Mills and forward it to the District's insurance carrier for handling.

ITEM NO. 16
REVIEW AND TAKE POSSIBLE ACTION ON THE
FINAL CLOSEOUT OF CLARIBEL REHAB
PROJECT WITH GRANITE CONSTRUCTION

Granite Construction returned to perform warranty work on the Claribel Lateral Rehab Project. While performing the warranty work, the existing concrete pipe downstream of the tie-in was found to be cracked and needed replacing. Granite Construction was instructed to replace the pipe crossing Rice Road and connect to the existing stand pipe. Granite performed these services on a T&M basis which required three days.

For the close out, a reconciliation of the extra work and back charges must be concluded to complete the contract close out. Granite is owed from the original contract \$11,514.00 and from the recent Change Order \$11,403.32 for a total of \$22,917.32. However, OID is owed for services, labor and equipment provided to Granite in the amount of \$18,052.00. The net amount due Granite is \$4,865.32 to close out the Claribel Lateral Rehabilitation Project.

After a brief discussion, a motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the final closeout of the Claribel Rehab Project with Granite Construction.

DISCUSSION ITEM

ITEM NO. 17
SUMMARY DISCUSSION OF THE 2004/2005 IRRIGATION SEASON

Kevin King, Supervisor Water Operations/Water Resources gave a Power Point Presentation on the 2004/2005 Irrigation Season.

COMMUNICATIONS
ITEM NO. 18

A. GENERAL MANAGER'S REPORT

Irrigation Activities

1. Kevin King to provide a report to the Board on the end of the 2005 Water Season

Safety Activities

1. Defensive Driving and CPR/ First Aid training occurred in October.
2. Three OID employees have been certified as on staff CPR First Aid instructors and have taught their first class last week. (Derek Davis, Mike Hanf and John Davids.) This is the first time in OID history we have had CPR/First Aid taught by instructors on staff!

The class was arranged by the OID Safety Dept. and facilitated by Harve La Bounty and John Haaf of ACWA/JPIA.

3. Coming up this winter we will be having a special confined space training class taught by Dave Strickler and Jeff Ferrel, State of California OSHA employer compliance consultants. This is a free service provided by CAL/OSHA to California Employers. We will also be hosting another Defensive Driving make up class in November.
4. Over the last two months we have successfully integrated, "Target Zero", high impact zero injury safety technique, safety pre-project /pre-task planning into our job setup forms. This is the first time in OID history that a safety/planning technique has been integrated into the written job setup process. This improvement has increased productivity, safety and job execution.
5. Trench Safety classes have been completed
6. OID is up to 510 days for which OID has not had a lost time injury accident.

Administration Activities

- a. CH2M Hill staff and OID staff met with Dan Steiner to verify our results with Dan on the impacts to the San Joaquin River relative to the reduced flows we see occurring in the Oakdale area. Dan's work is the benchmark for SJR flows. Data correlates nicely.
- b. Presented our "What we Know" power point to the Oakdale Realtor's Association. Good interest and questions.
- c. Met with Darren Rose from Congressman Radanovich's staff on OID's water resource planning efforts and how they fit into the regional planning efforts of other agencies. Radanovich is forming a SJ Valley Regional Task force to address water issues and regional planning to meet future needs.
- d. Spent three days in Sacramento last week going over alternatives for the WRP. Looks like we will present 13 viable alternatives for consideration in the plan.

Accounting Activities

Preparing the 2006 water billings for distribution.

B. COMMITTEE REPORTS

Director Alpers attended the San Joaquin River Commission on October 28, 2005 and reported the following: The budget was approved and OID's share is going to be \$108,000 up from \$105,000 last time. This money will be used for monitoring the flows up and down the river, the fish studies that are required, the VAMP Project (this report will be in before the legislature demanded it), and the legal costs for the inner-battles with different bureaucracies. One of these battles was with CalFed who were going to demand a tremendous amount of money from us six to eight months ago and now the trend looks like we are going to be paying for the benefits we actually receive, not for the benefits that Los Angeles or San Francisco receive. The San Joaquin River Commission has been trying to change the salinity standard on the river. Currently the river has to be at .7 salinity and we are trying to get it up to 1.0 so it will require a lot less water. They have done crop studies around Stockton and there seems to be no difference. One of the bad things that happened this year was that the young salmon were affected by a kidney infection and that greatly reduced the amount of fish that went out to the ocean. This will be a battle that we are going to have to fight from here on out according to the biologists. Also, this early wet year allowed excellent monitoring records of the fish migrating down. Our \$108,000

donation probably saves us about \$400,000 on our legal costs if we had to do everything ourselves.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Taro

None.

Director Brichetto

Director Brichetto thanked Kevin King for his presentation.

Director Alpers

Director Alpers agreed with Director Brichetto.

Director Webb

None.

Director Clark

None.

At the hour of 10:05 a.m. a motion was made by Director Taro, seconded by Director Alpers, and unanimously supported to move to Closed Session.

CLOSED SESSION
ITEM NO. 19

Closed Session to discuss the following:

A. Government Code §54956.9 Existing Litigation

(1) *Fields*

(2) *Gregg*

B. Government Code §54957.6(f) Conference with Labor Negotiator

Agency Negotiator: General Manager

Unrepresented Employees: Exempt Management Employees

At the hour of 10:43 a.m., a motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to move to Open Session.

The following was reported by Director Clark from Closed Session:

- A.** On the matter of the existing litigation, the General Manager was instructed to submit a counter proposal to RTC for resolution of this matter.
- B.** On the matter of the labor negotiations, the General Manager was instructed to present a counter offer to the Exempt Management Employees.

OTHER ACTION
ITEM NO. 20

At the hour of 10:44 a.m. a motion was made by Director Webb, and seconded by Director Bricchetto, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, November 15, 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, November 17, 2005 at 9:00 A.M.** in the Board Room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

Frank B. Clark, President

Attest:

Steve Knell, P.E., Secretary