

MINUTES

Oakdale, California
September 1, 2009

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: Jack D. Alpers, President
Al Bairos, Jr., Vice President
Steve Webb
Frank B. Clark
Tony Taro

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

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions to the Agenda

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 being no public, public comment closed at 9:01 a.m.

Director Clark requested that Item Nos. 3 and 5 be removed from the Consent Calendar; Director Webb requested that Item No. 9 be removed from the Consent Calendar; and Director Alpers requested that item No. 12 be removed from the consent calendar

CONSENT ITEMS
ITEM NOS. 2, 4, 6, 7, 8, 10, 11

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES
OF THE REGULAR MEETING OF AUGUST 18, 2009

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of August 18, 2009.

ITEM NO. 4
APPROVE ASSIGNMENT
OF CAPITAL WORK ORDER NUMBERS

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

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Cashman Dam	Install new South Main diversion structure, Paulsell Lateral headgate structure and Cashman Dam long-crested weir structure. Four Rubicon gates will be installed on the South Main structure and one Rubicon gate on the Paulsell structure. Shotcrete lining to be installed upstream and down stream of new installations and a new railcar bridge will be installed downstream of the South main canal.	\$1,440,520	0944
Snedigar Drain Pumping Station	Pump house replacement.	\$7,500	0945
Edwards Drain Pumping Station	Pump house replacement.	\$6,000	0946
Bentley Deep Well	Flow meter replacement.	\$1,250	0947
Paulsell No. 1 Deep	Install new pump, motor, electrical service, motor controls and discharge piping.	\$92,400	0948

ITEM NO. 6
APPROVE WORK RELEASE NO. 004 TO PROFESSIONAL
SERVICES AGREEMENT 2009-PSA-015 TO GIULIANI & KULL FOR
THE CONSTRUCTION MANAGEMENT, SURVEYING AND INSPECTION
SERVICES AT THE CASHMAN DAM REHABILITATION PROJECT

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to authorize the General Manager to execute Work Release No. 004 to Professional Services Agreement 2009-PSA-015 to Giuliani & Kull for the construction management, surveying, and inspection services at the Cashman Dam Rehabilitation Project and to approve subsequent Work Releases/Amendments as necessary.

ITEM NO. 7
APPROVE WORK RELEASE NO. 003, AMENDMENT NO. 01 TO
PROFESSIONAL SERVICES AGREEMENT 2009-PSA-001 TO
PROVOST & PRITCHARD CONSULTING GROUP FOR THE
NORTH SIDE REGULATING RESERVOIR PROJECT DEVELOPMENT

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to authorize the General Manager to Execute Work Release No. 003, Amendment No. 01 to Professional Services Agreement 2009-PSA-001 to Provost & Pritchard Consulting Group for the North Side Regulating Reservoir Project Development and to approve subsequent Work Releases/Amendments as necessary.

ITEM NO. 8
APPROVE PROFESSIONAL SERVICES
AGREEMENT FOR TITAN SURVEYING & MAPPING, INC.

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to approve the Professional Services Agreement for Titan Surveying & Mapping, Inc.

ITEM NO. 10
APPROVE RESOLUTION ORDERING ANNEXATION
(APN: 002-063-039, 002-021-053 – CONDE-BRICHETTO)

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to approve the Resolution Ordering Annexation (APN: 002-063-039, 002-021-053 – Conde-Brichetto).

ITEM NO. 11
APPROVE NEW DIRECTORS DIVISIONS MAP FOR
TWO (2) ANNEXATIONS (APN: 002-063-039, 002-021-053)

A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to approve the new Directors Division Map for two (2) annexations (APN: 002-063-039, 002-021-053).

ACTION CALENDAR
ITEMS NOS. 3, 5, 9, 12, 13

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

Director Clark asked if the payment to Grover Landscaping Services for broken sprinklers and replacement of broken heads was the result of vandalism to District Property. General Manager Steve Knell stated no. Director Clark also asked about the payment to Machado Backhoe for canal gate headwalls and asked if they provided the headwalls or if they

provided backhoe work. Support Services Manager Jason Jones stated that they provided precast concrete structures.

Director Alpers asked if the District paid \$50.00 for a sledgehammer. Support Services Manager Jason Jones said that he would look into it.

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

ITEM NO. 5
APPROVE WORK RELEASE NO. 003,
MODIFICATION NO. 02 TO PROFESSIONAL SERVICES
AGREEMENT 2009-PSA-003 TO CONDOR EARTH TECHNOLOGIES
TO PROVIDE SUPPORT FOR BID PROTEST FOR THE CONTRACT AWARD
FOR THE SOUTH MAIN CANAL AND TUNNELS IMPROVEMENT PROJECT

Director Clark asked if this was something new or if this is something that Condor Earth Technology does regularly. Contract and Special Projects Manager Gary Jernigan stated that Condor went back after receiving a bid protest and reviewed all of the bids submitted in order to make a recommendation to the District. Condor concluded that the District made the proper decision; however, they had not priced this extra work into their scope of work and it needs to be paid.

Director Bairos asked if there was a way for the District to recapture the money that is being spent on the bid protests. General Manager Steve Knell stated that this is one of those absorbed costs that have to be spent.

A motion was made by Director Clark, seconded by Director Taro, and unanimously supported to authorize the General Manager to execute Work Release No. 003, Modification No. 02 to Professional Services Agreement 2009-PSA-003 to Condor Earth Technologies to provide support for bid protests for the contract award for the South Main Canal and Tunnels Improvement Project and to approve all subsequent Work Releases/Amendments as necessary.

ITEM NO. 9
APPROVE RESOLUTION FOR ESTABLISHMENT OF
ESCROW ACCOUNT FOR FISHBIO ENVIRONMENTAL, LLC
FOR HONOLULU BAR MITIGATION PROJECT

Director Webb asked how the escrow account will work. General Manager Steve Knell stated that FISHBIO is the project coordinator. The money will be placed into an account for FISHBIO to draw upon to complete the Honolulu Bar Mitigation Project. District Engineer John Davids stated the Army Corps wanted some assurance that OID would pay their share of the money and it was decided that an escrow account, whereby the money would be set aside for this project, was the best approach. As invoices are received from FISHBIO for their work checks will be issued from the escrow account.

A motion was made by Director Clark, seconded by Director Taro, and unanimously supported to approve the Resolution for Establishment of Escrow Account for FISHBIO Environmental, LLC for Honolulu Bar Mitigation Project.

ITEM NO. 12
APPROVE DISMISSAL OF FEES ASSESSED
TO MARK WEIGLEIN (APN: 010-053-017)
FOR UNAUTHORIZED USE OF WATER

Director Alpers stated that he agreed that Mr. Weiglein had a good argument about dismissing the fees that had been assessed; however, the Board unanimously voted about a year ago to raise the fine to \$250 for any theft of water. He does not think that anyone should be given a verbal or written warning prior to any assessment. There was further discussion as to whether or not the Board wanted to review the policy again and it was decided that that was not necessary.

A motion was made by Director Clark, seconded by Director Taro, and unanimously supported to approve the dismissal of fees assessed to Mark Weiglein (APN: 010-053-017) for unauthorized use of water.

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION
AUTHORIZING GENERAL MANAGER TO SUBMIT
AN EXHIBIT'S APPLICATION FOR THE ACWA
2009 FALL CONFERENCE HIGHLIGHTING OID'S 100TH ANNIVERSARY

Staff believes the ACWA Convention would be an appropriate venue to advertise, promote and educate other water districts on the accomplishments of OID as it celebrates its 100th Anniversary. OID was a founding member of the ACWA organization and an OID director served as ACWA's first President.

A motion was made by Director Webb, seconded by Director Bairos, and unanimously supported to authorize the General Manager to submit an Exhibitor's Application for the ACWA 2009 Fall Conference highlighting OID's 100th Anniversary.

General Manager Steve Knell introduced Michelle Mello the new Account Clerk hired by the District to the Board of Directors.

DISCUSSION
ITEM NO. 14

ITEM NO. 14
DISCUSSION ON VEGETATIVE MANAGEMENT
PROGRAM IN THE DISTRICT'S WATERWAYS

Water Operations Manager Kevin King and Water Operations Supervisor (Pest Control) Mike Hanf made a presentation, providing background and answering questions regarding the District's Vegetative Management Program.

ITEM NO. 15 **COMMUNICATIONS**

A. GENERAL MANAGERS REPORT

Safety Activities

1. 232 days without a lost time injury accident.
2. First Aid/CPR Training held for C&M personnel. Currently, all C&M personnel are CPR Certified.

Administration Activities

1. Attended Oakdale Business Merchants meeting on the 19th
2. Attended a General Plan Update meeting with City of Oakdale staff and their consultants. Discussed treated water availability with the expanding City over the next 20 years.
3. Attending Water Engineering Committee
4. Planning meeting with Medlen on food preparation for the 100th Celebration
5. JPIA's Scott Wood down on Friday the 28th to review Risk Management Controls implemented at OID
6. Lunch with Lacy Kuriacko, Congressman Radanovich's Field Representative, on the 28th. Will discuss water infrastructure improvements, OID's actions to help the Westside farmers, NMFS-BO, Delta Concerns.
7. Meeting with City of Riverbank on their Redevelopment Project and OID's issues and concerns.
8. SSJID LAFCO hearing on September 3rd regarding their retail power interests.
9. Labor Day is the 7th and OID offices will be closed.

Contract and Special Project Activities

1. South Main Canal and Tunnel Projects – The Notice of Award was sent to Magorian Mine Services on August 7, 2009 and signed copy was returned on August 19, 2009. All contract documents have been signed and returned to Condor for distribution. The Performance and Payment Bonds have been received by OID. The Notice to Proceed was issued on August 28, 2009 with mobilization scheduled to commence during the week of September 7, 2009 after Labor Day. Project access is being completed now between Willms Road and the Second Concrete Flume. The preliminary construction schedule has been received indicating the Segment 1 work, Goodwin Dam to 2-Mile Bar, will complete on or about December 23, 2009. The schedule also indicates the Segment 2 work, Tunnel #7 to the 2nd Concrete Flume will complete on or about November 17, 2009. The Pre-Construction Kick-off meeting was held on August 27, 2009 in the Condor office in Sonora.
2. 2-Mile Bar Tunnel (CEQA & Engineering) - Condor continues to perform some preliminary engineering to support CH2MHILL on the CEQA evaluation for the 2-Mile Bar Tunnel. Dave Giomi of Cogdill & Giomi Property Appraisers is performing the land appraisal for the Right-of-Way land acquisition. The land appraisal will be completed by September 15, 2009. Landowner meetings are being scheduled.
3. North Side Regulating Reservoir – The Notice of Award was made on August 7, 2009 and returned on August 13, 2009. All Bonds and Insurance Certificates were provided to OID on August 13, 2009. The Pre-Construction Kick-off meeting was held on August

13, 2009. The Notice to Proceed was issued on August 17, 2009 and W.C. Maloney started the orchard removal on August 18, 2009 and completed on August 20, 2009. Foster & Sons started their mobilization on August 19, 2009 and commence grading operation on August 20, 2009. The scrappers, excavators and compactors arrived on August 20, 21, and 22, 2009 and set up and started clearing and grubbing on August 24, 2009. A full scale grading operation was started on August 25, 2009. Four (4) 637 scrappers with two (2) graders, two (2) water trucks are in constant operation stripping and moving dirt.

4. Cashman Dam Rehabilitation Project – Bid package sent out on August 18, 2009 to twelve (12) contractors. Two (2) additional contractors have called and requested bid packages. The Pre-Bid meeting was conducted on August 27, 2009 with the contractors. The Pre-bid meeting attendance is mandatory for prime contractors. Bids are due on September 10, 2009 with a recommendation to the Board on September 15, 2009. Staff recommendation will be contingent upon the results of the USBR Challenge Grant meeting on September 22, 2009. If everything is acceptable from the USBR meeting, the Notice of Award will be issued either on September 22 or 23, 2009. The Notice to Proceed will be issued on or about October 1, 2009. Start of construction will be on or about October 15, 2009.
5. Contract Administration activities on issued contracts to be renewed and/or issued, Work Releases and Change Orders for all contracts.
6. Organizational and project execution plans have been developed and assemble for all the 2009/2010 projects.
7. Contracts Management training course program start has been delayed but will start by September 4, 2009.

Construction Activities

1. Review of Job Set Up Forms
2. Various Landowner meetings regarding maintenance work. Conducting meetings with the landowners on the Hirschfeld Lateral along Grooms Rd.
3. Preparing and conducting evaluations with the Support Services employees.
4. Assisting Engineering Department with constructability review of Capital Improvement Projects.
5. C&M crews continuing to gain back drive able access on District facilities. Crews are currently working on the Brichetto Lateral.
6. Started preparing for the 2009/2010 Construction Season.
7. Received a letter from Desimas & Bairos Dairy regarding a potential borrow site of one hundred thousand yards of dirt. Currently reviewing soil type and pricing. This potential site would give the District a borrow site on both sides of the District dramatically cutting down on trucking costs.
8. Completed preliminary 2010 Support Services Budget.

Engineering Activities

1. Grant of Easement language being reviewed by OID and V.A. Rodden Legal Counsels. Once new Easement has been signed, OID will abandon the existing sixty (60) foot easement for the South Lateral. DRAFT Annexation Agreement delivered to Bill Jackson for review. V.A. Rodden currently installing private irrigation system for portion of lands already within OID. OID has been in contact with both V.A. Rodden and

Landmark Irrigation concerning location and separation required for crossings over the new South Lateral Pipeline.

2. P&P preparing scope of work for 2010/2011 Capital Projects.
3. Preparing Joslin Annexation package for Board review.
4. OID and P&P to meet with USBR on 9/22/09 to discuss Challenge Grant Award specifically as it pertains to additional environmental constraints as a result of funding.
5. 404 Permit from Army Corp was signed on 8/21/09. Working with CFO on setting up a Letter of Credit or Escrow Account for the Honolulu Bar Mitigation Project. Working with FISHBIO as it pertains to the terms and conditions of the final 404 Permit concerning the Honolulu Bar Mitigation Project.
6. Engineering Department assisting Mr. Jernigan in the environmental compliance phase of the New South Main Tunnel.
7. Met with the Water Committee on 8/25/09 to discuss the 1915 Patterson Deed and the Belletto pump station installation.
8. P&P working on abutment design for new bridge to span Wildcat Creek. CH2MHill Biologist reviewed site on 8/25/09 and delineated waters. Categorical Exemption is speculated at this point.
9. Ongoing project status meetings with Provost and Prichard, Inc.
10. Processing Requests for Work Order Approval for the 2009/2010 winter work season.
11. Finalizing Conde's Annexation package.
12. Preparing updated letter to STANCO for Willms Ranch, LLC project.

Water Operations Activities

1. Currently on a 12 Day Rotation. A 14 Day rotation will begin on September 2.
2. Attended Public Workshop for Development of a Groundwater Strategy for the Central Valley hosted by the CVRWQCB – August 24th in Rancho Cordova.
3. Attended Working Group meeting for the Long Term Irrigated Lands Program – August 20th in Rancho Cordova.
4. Attended the Quarterly meeting of the Agricultural Ag. Water Management Council – August 19th in Sacramento. – Council funding was the major focus of the meeting.
5. Reviewing water quality sampling data in regard to the Irrigated Lands Program and the Aquatic Pesticide Program.
6. Processing Job Setup Forms for minor maintenance work as needed.
7. Preparing order for Rubicon gates for this year's capital improvement projects.
8. Reviewing documents relating to the Water Utilities Technician vacancy.
9. Monitoring remaining water budget for the 2009 irrigation season. Development of strategic options ongoing.
10. Responded to an additional request for Out of District water by Trinity First Almond Partners.
11. UC Extension Office is hosting a Small Landowner Short Course on September 18 at the Oakdale Library.
12. UC Extension Office is hosting a Ranch Water Quality Short Course on September 21st and 28th at the Stan Co. Ag Center.
13. Assisting Engineering Department in the development and finalization of the Erlanger Well Site purchase agreement.

Finance and Accounting Activities

1. Continue to work on the new software implementation and conversion. Includes restructuring the District's chart of accounts.
2. Preparation of refunds to all ag water customers that currently have a credit balance on this account.
3. Preparation of the 2010 budget.
4. Working with the District's Engineer on setting up an Escrow Account for the Honolulu Bar Mitigation Project.
5. Preparation of 2010 budgets for six (6) domestic water and fourteen (14) agriculture improvement districts. Scheduling annual meetings with the six domestic ID to review 2010 recommended charges.
6. Review and update of District records for Stanislaus and San Joaquin counties parcel splits.
7. Processed 29 title transfers during July and August.
8. Working with the District's Administrative Assistant to post for the hiring an additional principal account clerk.
9. Rural water system account information:
 - 81 – late-payment notices
 - 11 – 15-day shut-off notices
 - 2 – 48 hour shut-off notices
10. Route accounting functions (AP, AR, PR, billings, account reconciliations, etc.)

B. COMMITTEE REPORTS

Water/Engineering Committee Meeting, August 25, 2009

- Review Patterson Deed to OID – 1915 (APN: 020-015-070)
- Review of Belletto Pump Station Installation (APN:: 062-001-003)
- Review of Unauthorized Use of Water – Mark Weiglein

Finance Committee Meeting, September 1, 2009

- Discussion on Designated Funds for Water Transfer Revenues

Director Webb reported on the Water/Engineering Committee Meeting:

Patterson Deed to OID –The District will offer the property to the landowners and see if they are interested in purchasing the property.

Belletto Pump Station Installation – The District will prepare an encroachment agreement for the pump that they have installed.

Unauthorized Use of Water – this item was previously discussed.

Director Clark reported on the Finance Committee Meeting

The Finance Committee met to discuss the distribution of the \$5 million in water transfers to the west side farmers. The Board has already allocated \$1.128 million in a rebate to the water users. The Committee recommended that \$3.5

million go towards balancing the budget this year to make up for the Tri-Dam shortage in revenues and the remaining \$380,000 be put into the Main Canal and Tunnel Improvement Reserve Fund for the tunnel projects. There will be no reserve fund set up for the community and this will be added to the proposed budget for next year. This will be placed on the agenda as an action item for the next Board Meeting.

C. **DIRECTORS' COMMENTS/SUGGESTIONS**

Director Webb

Director Webb stated that he felt that the SSJID and OID Boards need to discuss the fact that Tri-Dam is going to put the third generator on an application for federal money.

Director Clark

Director Clark thanked Water Operations Manager Kevin King and Water Operations Supervisor Mike Hanf for a good aquatic weeds presentation.

Director Bairos

Director Bairos had no comments.

Director Taro

Director Taro had no comments.

Director Alpers

Director Alpers had no comments.

At the hour of 10:50 a.m. the Board adjourned to Closed Session

CLOSED SESSION
ITEM NO. 16

A. *Government Code §54956.8 Conference with Real Property Negotiator*

Negotiating Parties: OID, Stockton East Water District, City and County of San Francisco, and VAMP

Property: Water

Agency Negotiators: General Manager and Water Counsel

Under Negotiations: Price & Terms

B. *Government Code §54957.6 Conference with Labor Negotiator*

Agency Negotiator: General Manager

Employee Organization: OE3

At the hour of 11:31 a.m. the Board adjourned to open session

General Manager Steve Knell stated that there was no reportable action from Closed Session.

OTHER ACTION
ITEM NO. 17

At the hour of 11:31 a.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, September 15, 2009 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, September 17, 2009 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Jack D. Alpers, President

Attest:

Steve Knell, P.E., Secretary