

# MINUTES

Oakdale, California  
January 6, 2004

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 Alpers  
Louis Brichetto  
Tony Taro

Staff Present: Steve Knell, General Manager/Secretary

## **PUBLIC COMMENT**

Mr. Hein Koelmans commented that the flag that is located at the front of the building is never taken down during inclement weather or at night and it was not lowered when requested by President Bush.

Ken Krause questioned the percentage of SSJID responsibility on the North Main if any. General Manager Steve Knell stated that OID is responsible for 28%. Mr. Krause further commented that it seemed that the District is becoming more adversarial in dealings with landowners.

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

There were no additions or deletions of Agenda items.

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

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to move Item No. 3 to the first item on the action calendar.

**ITEM NO. 1**  
**PRESENTATION**

Board President Frank B. Clark presented Certificates of Appreciation to Mr. Hans Burtschi for 5 years of service to the District, Director Tony Taro for 10 years of service to the District, and to Mr. Tony Priola for 15 years of service to the District.

**ITEM NO. 2**  
**COMMUNICATIONS**

**A. GENERAL MANAGER'S REPORT**

**Resource Issues**

1. Tri-Dam Projects-Closed session today on wages and salaries
2. Groundwater Management
  - a. A scope of work from Bookman-Edmonston for the consolidation of the local Groundwater Management Plans into a Regional Groundwater Management Plan was reviewed and commented on.
3. Water Quality Issues-Ag Waiver
  - a. The opinion of the State Board, although somewhat softened in its December 5<sup>th</sup> report, will not change much between now and the scheduled hearing of January 6<sup>th</sup> and 7<sup>th</sup>.
  - b. The River Group will contact URS to direct them to prepare a generic Reporting, Monitoring and Sampling program to meet the April 1<sup>st</sup> deliverable for individual dischargers.
  - c. OID is working with both Coalition Groups in its area and sits on the steering committee for the one in San Joaquin County.
4. VAMP
  - a. The 2003 Report is being prepared.
5. Water Report
  - a. OID's rain gauge has accumulated 3.79 inches from October 1<sup>st</sup> to December 29, 2003, still a little shy of normal. A recent DWR report indicates the southern Sierra snowfall to be at 120% of normal.

**Current and Pending Resource Contracts**

1. Hazard Assessment of North and South Main Canals
  - a. The portion of the work between 2 Mile Bar and Hwy 108 has been completed. The contractor is focusing his work on that portion upstream of 2 Mile Bar to Goodwin Dam.
2. Water Measurement Plan
  - a. Mr. King is busy writing code for the measuring equipment.
3. Ag Water Management Plan-No activities to report
4. Water Resources Plan
  - a. GM met with Entrix and Psomas who are interested in teaming to be a bidder in OID's pending planning effort.

### **Current Internal Activities**

1. Reorganization Plan
  - a. A qualified candidate is being evaluated from those interviewed for the Support Services Manager position.
  - b. A qualified candidate is being evaluated from those interviewed for the Engineer position.
2. Hiring- No activities to report
3. Union Issues-No activities to report
4. Safety Program/Issues
  - a. Derek Davis has put together a 12-month Safety Program for 2004
5. Staff Training-No Activities to Report
6. Community Activities-No activities to report
7. Staff Activities- No activities to report

### **Current Construction/Maintenance/Engineering Activities**

1. Holidays and vacations have slowed progress down over the last two weeks.

### **Domestic Water Activities**

- a. Proceeding with ID 52 well replacement site acquisition. Mr. Nielson and Director Clark met with the Oakdale Country Club Board on 12/17 to seek support for a well site location for the ID. The response was favorable.

### **Projects on the Table**

1. Hirschfeld Lateral Project
  - a. Working through the issues with the landowners. Meetings scheduled to occur after the first of the year.
2. Mootz Drain-Dennis Edge
  - a. Letter sent to Mr. Edge and a meeting is scheduled for 1/2/04 at the site.
3. MID Drainage Agreement Review
  - a. Met with MID on 12/19 to review Water Measurement Plan and to identify with them those sites that will help quantify water discharged to their system. Also discussed our need to do some limited water quality sampling this season.
4. Annexation-No activities to report
5. Burneyville Area of Riverbank-No activities to report
6. Mootz Lateral-Duane Roots-No Activities to Report
7. Ross Carroll Encroachment onto OID Lands
  - a. Our attorney and I have discussed his findings and a memo will be forthcoming on this. As briefly discussed with our Attorney however, there are prohibitions in the law which precludes the use of Public Lands without compensation to the Public Agency. I will meet with the Carroll's upon receipt of this memo to resolve this issue.
8. Burchell Hills/City of Oakdale bike path-No activities to report
9. Langum property acquisition
  - a. Appraisal in progress.
10. Glines Pipeline
  - a. Still awaiting County approval to place pipeline in road shoulder.

### **Pending List of Jobs**

1. Additional items being researched and to be added to this list.
  - a. Lower Cometa-Steve Kistler
    - a. I have sent Mr. Kistler a letter on the actions the OID intends to take regarding his property.
  - b. Frobose Ditch-Bob Frobose-No activities to report
  - c. Brady Pipeline-No activities to report

### **Legal Activities**

#### **Mike Ijams**

1. Mr. Ijams sent the FPPC a Public Records Request to obtain a copy of the letter Mr. Brichetto sent to the FPPC. Upon receipt of that letter, Mr. Ijams can conclude his memo.
2. GM and Attorney Ijams negotiated last week over the Cantel issue. Nothing was concluded and depositions on the case are scheduled for January 2<sup>nd</sup> and 5<sup>th</sup> of 2004

#### **Tim O'Laughlin**

1. Water resource planning and Ag Waiver issues continue to be discussed.

### **SUPPLEMENT TO GENERAL MANAGER'S REPORT**

#### **Resource Issues**

##### **Salt and Boron TMDL**

1. Comments on this CVRWQCB TMDL are due by January 20<sup>th</sup>. Each district of the SJRG is to comment separately.
2. A proposed solution to meeting this standard is that all eastside irrigation districts hold their drainage water from July through October. This is not good for us and needs to be addressed vehemently.

##### **CVRWQCB Triennial Review of the Basin Plan**

1. January 8, 2004 is a workshop with the Regional Board to hear the proposed changes in the Basin Plan they are looking at.
2. A formal public hearing and a CEQA Review will accompany the review process.
3. VAMP Pulse Flows, Fish Flows and other issues are anticipated to be discussed.

##### **NAPA Agreement**

1. The purpose of this agreement is to move more water south to meet MWD, CVPIA Contractors and others water demands.
2. As crafted, the goal is to increase Delta Pumping by 1,500 cfs during the summer months and to recirculation more water in the Delta.
3. Recirculation of saltier water may not be in the SJRTA's best interests. We wish to be apart of the discussions or we may have to legally intervene.
4. The SJRTA's are not opposed, but we have interests that have not yet been satisfied on past promises (i.e. HORB).
5. The underlying premise for the solution to the delta woes is for the eastside irrigation districts to give up more water.

##### **NPDES Permit for Magnacide**

1. Staff has been under the gun since November to compile and put together a permit application to the CVRWQCB to renew its NPDES permit for the coming

- year. The reason this was so time crunching was that the requirements of the permit were not available till November.
2. The Initial Study went out December 19<sup>th</sup>.
  3. January 21 will be OID's Board deadline for CEQA Certification of the Negative Declaration.

### **Conditional Agricultural Waiver for Discharge**

1. Tomorrow the State Water Board will hold a hearing on the Conditional Agricultural Waiver for Discharge. A final decision will be posted on January 22, 2004. It is likely the Enviro's will file suit on the 23<sup>rd</sup>, not being happy with the changes they recommend.
2. The CVRWQCB made a staff opinion yesterday that the identification of discharges by name and address is still a must have in their opinion.
3. South San Joaquin (Kern County to Tulare) water districts are saying that RWQCB has not authority to enforce the Conditional Waiver.
4. The Central San Joaquin Valley water districts are allowing Coalitions to develop and move forward with support from them.
5. The North Sac Valley irrigation districts are providing coverage for their farmers.
6. Region 9 in the Southern California area, this is not an issue even being addressed.
7. There's a little bit of everything in the State right now.

### **Fee Increases and New Assessments from the State Water Resources Control Board**

1. Our position is (MID, TID, Merced, SSJID, and OID) we will pay our fees under protest, exhaust our administrative remedies and work with the agency to develop a "pay for service" fee structure.
2. Our reasons are; the legislature created us as arms of the State and it would be wrong for us to not step up to the plate in this fiscal crisis and pay our share.

Mr. Laurens Foard questioned the dollar amount limit that the General Manager was authorized to dispose of without prior authorization from the Board. Director Clark stated that this would be covered under Item No. 14.

## **B. COMMITTEE REPORTS**

### **Tri-Dam Committee**

- Director Alpers reported the following:

The Committee met in Manteca. Two things were covered; the Goodwin Budget which was approved and adopted and Tri-Dam labor discussions. The Tri-Dam labor discussions will be covered during today's closed session.

## **C. DIRECTORS' COMMENTS**

### Director Bricchetto:

- Director Bricchetto stated that there is a good snow pack to date and OID is fundamentally sound financially. He further stated that he would like to see the District become more efficient and it is good to see public participation.

### Director Alpers:

- Director Alpers commented that there has been discussion regarding a Hetch Hetchy water supply and he stated that he knew nothing about this.

Director Clark stated that he knew of no discussions of selling water with Hetch Hetchy and didn't think that the General Manager knew of anything either.

General Manager Steve Knell stated that he had talked to no one at Hetch Hetchy. Director Clark further stated that if someone has a question regarding OID's involvement in secret negotiations; that OID is not, has not been and don't anticipate being involved in any such talks.

Mr. Dennis Edge stated that the issue was that there was a diversion that was going to take place at Hetch Hetchy and supplemented by MID down at this end. Mr. Edge further stated that he had a discussion last week with a long time employee of MID regarding the discharge of OID waste water into MID's canal. The discussions are that they are either going to have to start paying for that water or they may not be getting it. The employee's comment was that he has been assured that this water will be there for however long they need it. Director Alpers asked for the name of the employee but Mr. Edge stated that he could not divulge that information.

Director Clark stated that no one has any knowledge of anything going on between OID, MID, San Francisco.

General Manager Steve Knell stated that he believed this centers around a presentation he did regarding three meetings with MID to resolve the drainage issues which all stem from the AG Waiver. MID came to OID and said that if the Ag Waiver goes through, if the water that is sent to them does not meet water quality standards, then what does OID intend to do? The focus now for OID is what needs to be done to meet the state requirements driven by the Regional Water Quality Control Board. The last of the three meetings held was two weeks ago. Kevin King who is in charge of the Water Measurement Plan at the District shared with MID the water measurement stations that will be installed as part of the approved water measurement program. MID wanted to know where those stations were and if we were interested in doing some water quality sampling this summer to try and quantify the water quality of water going in their canal. They have an idea from their water operations what they believe goes in there. So a water measurement program will hopefully quantify that amount and the water sampling will hopefully tell us what the constituents are that we may have to address. The issue is that we are trying to solve our

water quality problems and that generates lots of things at Hetch Hetchy. The discussion with Louis Brichetto was not just about Hetch Hetchy but about other districts that are interested in OID's water. Stockton East wanted to meet last month to talk about taking the Stockton East transfer and extending that for another 20 years. The time is not right to meet with anyone as OID cannot make any commitments until the Water Resources Plan is complete. No water decision should be made without the completion of this plan that will tell us what can be done and what is permitted.

**CONSENT ITEMS NO. 4,5,6, 7**

**ITEM NO. 4**  
**APPROVE OAKDALE IRRIGATION DISTRICT'S**  
**STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**  
**APPROVE ACWA FALL CONFERENCE**  
**LUNCHEON EXPENDITURE**

An expenditure for the ACWA Fall Conference luncheon held Wednesday, December 3, 2003 that was submitted was in excess of the District's allowable reimbursement limit for lunch. As per District policy, special circumstances are required to justify reimbursement of amounts exceeding the meal limits and shall be subject to Board approval. Typical ACWA Conference luncheons run \$35 - \$40 due to conference speakers and programs provided during lunch.

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to approve ACWA Fall Conference luncheon expenditure.

**ITEM NO. 6**  
**APPROVE ANNUAL REVIEW OF ASSIGNED VEHICLES**

The Oakdale Irrigation District Vehicle Policy, Section 2.01, states that assigned vehicles may be authorized for use by specific employees on a full-time basis when it is determined to be in the best interest of the District. The General Manager must approve each assigned vehicle and such assignment shall be reviewed annually by the General Manager and the Board of Directors.

<u>Position</u>	<u>2004</u>
General Manager	Yes
Support Services Manager	Yes
Assistant Watermaster	Yes

Assistant Watermaster/Pest Control Coordinator	Yes
Supervisor of Field Operations	Yes
Water Utilities Technician	Yes

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to approve the annual review of assigned vehicles.

**ITEM NO. 7**  
**APPROVE THE QUITCLAIM OF AN**  
**EASEMENT ON THE LANGWORTH LATERAL**  
**TO LAKEMONT HOMES, INC.**

The Bridle Ridge residential development has relocated the Langworth Lateral to the dedicated rights-of-way for the subdivision streets of the project. For that portion of the project where streets are now being accepted by the City of Oakdale, OID has been asked to abandon the existing easement for the Langworth Lateral. Staff recommends quitclaiming the 1985 easement for the lateral to Lakemont Homes Incorporated, the current property owner, as part of the process of acceptance of the subdivision by the City of Oakdale.

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to approve the Quitclaim of an easement on the Langworth Lateral to Lakemont Homes, Inc.

**ACTION ITEMS**  
**ITEMS NO. 3, 8, 9, 10, 11**  
**ITEM NO. 3**  
**APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE**  
**REGULAR MEETING OF DECEMBER 16, 2003**

Director Brichetto requested that a change be made to Page 18, Line 17 in that the word MID as it related to the General Manager be deleted.

A motion to delete the second usage of the word MID on Page 8, Line 17 was made by Director Brichetto, seconded by Director Webb and unanimously supported to approve the Minutes of the Board of Directors' Minutes of the Regular Meeting of December 16, 2003.



**ITEM NO. 8**  
**REVIEW AND TAKE POSSIBLE ACTION TO RESCIND THE**  
**VOTE FOR PRESIDENT AND VICE PRESIDENT TAKEN**  
**AT THE DECEMBER 16, 2003 BOARD OF DIRECTORS MEETING**  
**AND PROCEED WITH A NEW ELECTION**

The General Manager recommended that the Board reconsider and rescind their vote of December 16, 2003 regarding the election of a President and Vice President of the Board. The issue at stake is the fact that the public was not allowed to comment on the nominations prior to the vote.

The technical reasons for the Board's action on that date are well founded and defensible, as relayed to OID the night prior to the meeting by General Counsel (not County Counsel as stated in the minutes) Michael Ijams, Esquire. As the "letter of the law" is written, OID's actions are on solid ground. However the "spirit of the law" and OID Policy should probably have prevailed in this instance.

Although the Brown Act allows for public input to Board actions of a legislative nature, OID Policy states that, "The public shall be allowed to comment before the Board acts on any matter appearing on the agenda." This could be interpreted to mean legislative and non-legislative issues, such as election of Board Officers.

Abiding by policies of this organization is the charge of each director. For this reason, the General Manager requested that the Board rescind the vote taken on December 16, 2003, keeping in place the nominations that were made for President and Vice President, allow a sufficient amount of time to take public comment and then revote for both President and Vice President.

Director Clark turned the gavel over to former Board President Director Alpers.

A motion was made by Director Taro, seconded by Director Clark and unanimously supported to rescind the vote for President and Vice President taken at the December 16, 2003 Board of Directors' meeting and proceed with a new election.

Director Alpers asked for Board comments regarding the nominations for Board President which were made at the December 16, 2003 Board meeting. No Board comments were received.

Mr. Laurens Foard commented that the directors should think of their political future in this town. The man that the board tried to elect by their previous 3 to 2 vote over the objections of many was the past secretary of the Protect Our Water Committee that campaigned to try and bring some sense to the operations of OID. He used the Committee's influence to get a seat on the Board of OID. After he was elected he voted against the principles of the Committee that got him elected. Mr. Foard suggested that the Board vote their conscious and not the preconceived arrangement he suggested was made with this individual. He further suggested that there is a ground swell of indignation forming within interested members of the Oakdale Irrigation District and when that finally forms, the Board will see

the power of the people banding together for a just cause. Mr. Foard suggested that Director Clark should respectfully decline the nomination for President at this time.

Mrs. Donna Nation commented that at the last meeting the Board jumped the gun and voted for President and Vice President without listening to the thoughts and opinions of the constituents. She stated that although she liked Director Clark that she felt that Director Brichetto was the better candidate for President of the Oakdale Irrigation District Board. Since Director Clark stated previously that the position of Chairman was an honorary position then it should not be a concern to him to step aside and allow Louis Brichetto to become the Chairman for the coming year. She further stated that Director Clark would be a fine Vice Chairman and would look forward to his leadership in the future, however, in the mean time he could be setting an example of gracious cooperation. Too much time is wasted fighting amongst each other and that energy could be used to make this one of the best irrigation districts in the area. It was her hope that 2004 would be the year of cooperation.

Mr. Ken Krause stated that he would like to understand why the Board strayed from the past history of voting the Vice President into the role of President who at times takes the place of the President and has a handle on what the President's responsibilities are.

Director Alpers stated that he was elected President without first being Vice President. He further stated that he had been on school boards, city counsels, etc. where these things are done with whomever the people chose to lead them. There is nothing in Robert's Rules of Order that the Vice President shall become President.

Director Webb stated that he had voted for Director Clark because it seems that Director Brichetto has one agenda, i.e., annexation. This district has many facets to it and has to deal with many issues. It is the responsibility of this Board to look after the interests of all constituents, not just large land owners.

Mr. Grover Francis stated that he was here to speak in support of Louis Brichetto. This vote is about trust and Louis enjoys the trust of the agricultural community. Everyone here supported Louis at the last meeting and he is supported because he is a man of his word and you can take his word to the bank.

A motion was made by Director Taro and seconded by Director Brichetto nominating Director Brichetto as President and a motion was made by Director Webb and seconded by Director Webb nominating Director Clark as President at the January 6, 2004 Board of Directors meeting. Pursuant to today's Board action, said motions were retained and voted as follows:

Director Brichetto: Taro, Brichetto  
Director Clark: Webb, Alpers, Clark

At that time the gavel was turned over to the newly elected President of the Board, Director Frank B. Clark. Director Clark opened the discussion of Director Webb's nomination for Vice President to the public.

Mrs. Donna Nation stated that she would like to see Louis Brichetto as Vice President.

Mr. Ken Krause stated that he would like to see Louis Brichetto as Vice President.

A motion was made by Director Alpers and seconded by Director Clark at the January 6, 2004 Board of Directors meeting nominating Director Webb for Vice President. Pursuant to today's Board action, said motion was retained and voted as follows:

Ayes: Alpers, Clark and Webb  
Noes: Brichetto, Taro

**ITEM NO. 9**  
**REVIEW AND TAKE POSSIBLE ACTION ON A**  
**RESOLUTION FOR ELECTION AND APPOINTMENT OF**  
**NEW OFFICERS AND DESIGNATION OF PUBLIC OFFICIAL BONDS**

The Resolution Electing and Appointing New Officers reflects the fact that the Oakdale Irrigation District Board of Directors will hold elections at their choosing. All elections and appointments are to remain in effect until another election is held or a new Board is elected.

The Resolution for Designation of Public Official Bonds Required of Officers and Directors provides that the District purchase official bonds for elected and appointed officers.

Bonding Background: Water Code §21141 and 21142 set the bonding limits for the officers of the Board. There is no requirement that the Directors or Secretary be bonded, only the Treasurer.

OID's Property Insurance through ACWA/JPIA provides each Director and officer of the Board a \$100,000 coverage against 1) Public Employee Dishonesty, 2) Forgery or Alteration and 3) Computer Fraud. The deductible for this coverage is \$1,000 and the cost is part of the premium payment.

OID has for years purchased additional coverage for each Director, Secretary and Treasurer in the form of a Dishonesty and Faithful Performance Bond. The Treasurer and Secretary have typically been covered for an additional \$100,000 each at a cost of \$425 per year per position. Last year the Board increased their own coverage to \$50,000 for each Director at a cost of \$225 per year per Director.

A motion was made by Director Alpers, seconded by Director Webb and unanimously supported to adopt the Resolution for Election and Appointment of New Officers and Designation of Public Official Bonds.

**ITEM NO. 10**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**APPOINTMENTS TO THE**  
**BOARD COMMITTEES FOR 2004-2005**

The Board Committee assignments have been made for the coming years of 2004 and 2005.

Per Board Policy: "Committees shall be formed as soon as practical after the election of a President. The President shall designate the task of each committee and appoint persons to serve on each committee. In the absence of objection by a majority of the Board, the President's action shall be final."

Notes of importance;

- A new Committee entitled, *Strategic Planning Review Committee* has been established.
- The Water Committee and Engineering Committee have been combined into the Water/Engineering Committee.

Director Taro requested that he be allowed to participate on the Tri-Dam Committee; Director Webb relinquished his place on said Committee. After discussion the Board concurred that the appointments made by Director Clark were acceptable to the majority of the Board.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION ON THE**  
**PURCHASE OF A HYDROPNEUMATIC WATER STORAGE TANK**  
**FOR THE RURAL WATER SYSTEM NO. 1**

Originally the Country Club Estates Pumping Station in OID's Rural Water Systems No.1 was constructed to supply approximately 40 homes with domestic water and fire flow protection in the event of an emergency. The two deep well pumps located at the pumping station produce 500 GPM each for a total production of 1000 GPM, which fills a 39,000 gallon water storage tank. In an emergency, such as a fire, the booster pumps located at the pumping station take water from the storage tank at a rate in excess of 1200 GPM. This means that water is leaving the pumping station faster than it can be replaced. When the water level in the storage tank gets low enough, the pump station will automatically shut off until the water level returns to a safe operating level. When this happens, the water system completely loses a valuable source of water during an emergency.

The 39,000 gallon water storage tank is in need of maintenance, including cleaning, sand blasting and repainting. These maintenance procedures are will cost approximately \$30,000 to \$35,000. Staff felt the money would be better spent upgrading the site to a pressure system comparable to OID's other pumping stations. This would involve two phases. The first phase would replace the existing water storage tank with a 10,000 gallon hydro-pneumatic storage tank. The second phase would convert the two deep well pumps

to pressure pumps. Once this is done, the pumps will remain in service and continually supply water in an emergency.

Another added benefit is the PG&E operating costs for the pumping station are expected to drop by 30% due to fact that the water will only have to be pumped once.

These changes were originally scheduled and budgeted for installation in 2002. The 2002 installation had to be postponed due to the State of California Department of Health Services taking over primacy of Rural Water System No. 1. The State has now finalized the permitting process and has included in the permit a section regarding OID's intent to convert the pumping station.

OID sent out requests for price quotes to nine contractors who requested placement on OID's list of bidders. Two of the nine responded, with Amerine Systems being the low bidder.

A motion was made by Director Brichetto, seconded by Director Webb and unanimously supported to approve the purchase of a hydro-pneumatic water storage tank for the Rural Water System No. 1.

**DISCUSSION ITEM**  
**ITEM NO. 12**  
**DISCUSSION OF ALLOWING ADDITIONAL APPLICANTS**  
**TO THE GROUP OF PENDING LANDOWNERS SEEKING**  
**ANNEXATION INTO THE DISTRICT**

Director Brichetto requested this item be added to the agenda for discussion. Due to the shortness of preparation time afforded staff on this agenda item, limited information could be provided to the Board.

On July 15, 2003 the Board approved to “**permit the pursuit of annexation of eligible lands by landowners that have out-of-district water service agreements in place as of July 1, 2003**”. Those pursuing annexation today include 5 landowners which had 394 acres under irrigation at the time of eligibility but currently are seeking to annex 1,285 acres.

Director Brichetto is seeking to allow an unknown amount of out-of-district lands, who had at one time in the past received water through an out-of-district agreement, to be considered for inclusion in the above-described group.

Director Brichetto stated that this issue was for those that had previously pursued annexation and eligibility of lands and were buying out-of-district water on an annual basis. One of those individuals was Golden West Nuts, land which he had rented in the past.

Director Alpers stated that in July of 2003 the Board started with 394 acres and ended up with 1285. If the constituency were to be protected, the process should be stopped somewhere. He further stated that he was not in favor of changing anything at this time.

Director Brichetto expressed his concern that OID's irrigated acreage is getting smaller.

Director Clark stated that OID also sold 41,000 AF of water during that time. When acreage is reduced commitments can be made to do this, but a previous board chose to sell the water. There is a shortage of 41,000 acre feet compared to when OID had the maximum acreage.

Director Webb stated that for those out-of-district water people that had been consistently getting water this is not a problem for him. He further stated that until the Water Measurement Plan is done no changes should be made. At this point, we should only annex those that have been taking out-of-district water.

Director Clark stated that a policy was put out and publicly stated that the opportunity would be given to annex for those currently getting out-of-district water. If it is decided to change this, do those that used to get out-of-district water get that same opportunity? Wouldn't all those that used to get water be able to apply; everyone can't be treated differently. Until the Water Resources Plan is complete no decisions should be altered.

Director Brichetto stated that on the front of the Agenda there are 195 acres that are going off the water charges, and he would like to see the District grow just like any other business in this community. The District overhead and the District should also grow, spread out the costs of the overhead, justify the water allocation and grow the local economy.

**ITEM NO. 13**  
**DISCUSSION OF THE COMPENSATION**  
**FOR THE BOARD OF DIRECTORS**

Director Brichetto requested this item be added to the agenda for discussion. The Water Code limits a director's compensation by various methods, all of which seem to allow a maximum limit of \$600 per month.

Current directors at OID receive \$450 per month.

Director Brichetto stated that he brought this up due to the escalating medical costs. He further stated that since the medical costs will probably need to be capped at some point for employees, the Directors should provide leadership and the Board should step forward on this.

Director Clark stated that he felt it inappropriate to say that OID will probably take away some employee benefits. Benefits of employees are negotiated and there is a contract regarding that with the Union. He further stated that he did not believe that the Board wants to take away any benefits from its employees. As long as this District is wealthy and

healthy, the employees should be supported and provided with health benefits. The whole basis of this organization is its employees. He further stated that if Director Brichetto wanted to give up his benefits he should advise the Finance Department to discontinue coverage for him.

**ITEM NO. 14**  
**DISCUSSION OF THE RESOLUTION AUTHORIZING THE**  
**GENERAL MANAGER TO DECLARE DISTRICT PROPERTY AS SALVAGE**

Director Brichetto requested this item be added to the agenda for discussion. On February 4, 2003 the Board approved a resolution, . . .”**granting the General Manager the authority to declare District property with a salvage value of less than \$10,000 as surplus, and that said property shall be sold at public auction or delivered to a salvage company.**”

Director Brichetto believes this resolution should be rescinded and that the policy resort back to the previous method of the Board approving of all surpluses of OID property. Director Brichetto stated that he felt that all sales should come to the Board just as purchases do. He felt that he would like to know about items before they are sold. He proposed that this put onto the next Agenda to revert back to the former resolution as to salvage property.

Director Alpers stated that the Board was given a copy of the salvage items before the auction was held. Director Brichetto stated that he never received a list. Director Taro stated that he had the list, but it was stamped confidential and he could not give that information to anyone.

General Manager Steve Knell stated it is easier for staff to dispose of the salvage property as the current policy states, however, he stated he supported going back to the former way of disposal of property.

It was the consensus of the Board that this be brought back to the Board as an action item on the January 20, 2004 Agenda.

**ITEM NO. 15**  
**STATUS REPORT AND DISCUSSION ON THE**  
**CONTRACTING OF TRI-DAM POWER GENERATION**

No comments were made.

At the hour of 10:55 A.M. a motion was made by Director Brichetto, seconded by Director Alpers and unanimously supported to adjourn to the next **regular Board of Directors' Meeting** to be held on **Tuesday, January 20, 2004 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, January 15, 2004** at 9:00 A.M. at the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA .

Attest:

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Steve Knell, P.E.  
General Manager/Secretary