

MINUTES

Oakdale, California
March 15, 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
Jack D. Alpers
Louis Brichetto
Steve Webb

Director Taro was absent from the meeting.

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

ITEM NO. 1 PRESENTATION

Derek Davis gave a presentation on "Target Zero."

ADDITION OR DELETION OF AGENDA ITEMS

None.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to take Item No. 8 out of sequence on the Agenda.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to take Item No. 9 out of sequence on the Agenda.

CONSENT ITEMS ITEMS 4, 5

ITEM NO. 4 APPROVE IMPROVEMENT DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 5
APPROVE THE TREASURER AND CHIEF FINANCIAL
OFFICER'S REPORT FOR THE MONTH ENDING FEBRUARY 28, 2005

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the Month Ending February 28, 2005.

Director Brichetto requested that Item Nos. 2 and 3 be removed from the consent calendar.

ACTION ITEMS
ITEMS 2, 3, 8, 6, 9, 7, 10, 11, 12

ITEM NO. 2
APPROVE BOARD OF DIRECTOR'S MINUTES OF THE
REGULAR MEETING OF MARCH 1, 2005

Director Brichetto requested that his Director's Comments be modified to state, "Director Brichetto stated that the Knights Ferry letter is offensive. He feels that we should not blanket everybody; each water user should be painted with an individual brush."

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Board of Director's Minutes of the Regular Meeting of March 1, 2005, once the above modification has been made.

ITEM NO. 3
APPROVE OAKDALE IRRIGATION DISTRICT STATEMENT OF OBLIGATIONS

Director Brichetto questioned when the payments would be mailed once the Statement of Obligations is approved.

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

ITEM NO. 8
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE REQUEST FOR
VARIANCE TO SUBDIVISION PARCEL MAP POLICY (APN: 229-022-024 - DUTRA)

Mr. Dutra is currently in the process of splitting an 81.6 acre parcel into three 10 acre parcels, one 10.1 acre parcel and a 41.5 acre remainder. The Application Referral from San Joaquin County was mailed on December 3, 2004 and received by OID on December 6, 2004. Given the date on which OID received the Application Referral, this parcel split must comply with the conditions of the new Subdivision Parcel Map Policy adopted September 7, 2004 by the Board of Directors.

District staff responded to the initial Application Referral from San Joaquin County in a letter dated December 20, 2004 setting forth OID's conditions of approval for the parcel split. Please refer to the attached correspondence for clarification purposes. Since that

time, District staff has been in frequent contact with Mr. Dutra concerning our conditions of approval and his associated concerns.

Mr. Dutra's concerns stem from the fact that although he is subdividing the property, the land will continue to be farmed as rice and thus many of the conditions may hamper his ability to continue farming. While District staff understands Mr. Dutra's concerns, OID cannot condition a building permit for an existing parcel and if OID takes no action now it will lose any advantage in reducing its cost and impacts later, when the land develops.

Staff recommends the following items for the Board's consideration in an attempt to allow Mr. Dutra to subdivide the property, yet protect the OID's interest in the future:

1. Regarding the fencing of the easements; Mr. Dutra could pay OID for the cost of fencing and at such time as the lots sell and develop, OID could use those funds to fence OID's easements. Fences would become the property of the adjacent landowners.
2. Continued drainage into OID facilities could be granted under the following conditions;
 - a. Mr. Dutra signs a drainage agreement stipulating;
 - i. Compliance to OID's existing 8-inch pipe per 40 acre parcel requirement.
 - ii. Drainage from each parcel to be accepted until such time as each parcel develops. At which time the agreement will be canceled or amended based on the existing conditions.
 - iii. Each developed parcel shall be required henceforth to contain all waters on site. Non compliance will result in the inability of the parcel to receive irrigation water, until such time as it is compliant.
3. Mr. Dutra agrees to accept the current historical points of delivery for Parcels B, C, and D as the southwest corner of parcel D. Likewise, the historical point of delivery for Parcels A and the Remainder to be the southeast corner of the Remainder. Mr. Dutra would not be required to install the independent irrigation delivery systems (cluster well and pipelines) but OID, at the time for the request of water after the lots develop, would instruct the new landowners of their point of delivery and require them to meet the conditions of delivery as stated. The missing element of this is that an irrigation easement would have to be established for each Parcel B, C, and D for this to occur.
4. Mr. Dutra pays all costs for staff time in the development of the above stated agreements.
5. Staff recommends no other changes in its conditions except as stated above.

Mr. Joe Dutra and his father-in-law Mr. Joe Rocha were present at the hearing.

After a discussion between Mr. Dutra and the Board Members, a motion was made by Director Brichetto to approve the Request for Variance to Subdivision Parcel Map Policy

until the parcels sell and at that time the landowners would be subject to the existing subdivision policy. This was seconded by Director Alpers for the purpose of discussion.

Director Alpers wanted to make sure that Mr. Dutra was aware that he had to comply with the four preconditions as set forth in the Agenda Report. Mr. Dutra stated that he is willing to comply with the four conditions as set forth therein.

An amended motion was made by Director Brichetto to approve Mr. Dutra's Request for Variance to the Subdivision Parcel Map Policy if Mr. Dutra agrees with the conditions set forth in the Agenda Report. This was seconded by Director Alpers for discussion purposes.

After further discussion, the amended motion was voted as follows:

Ayes: Directors Webb, Clark and Brichetto
Noes: Director Alpers

The Board approved the Request for Variance from the Subdivision Map Policy by a vote of three to one conditioned upon Mr. Dutra's compliance with the conditions set forth in the Agenda Report.

ITEM NO. 6
REVIEW AND TAKE POSSIBLE ACTION ON
THE START OF THE 2005 IRRIGATION SEASON

A cooling trend is expected this week and a low probability of precipitation is forecast for the end of the week (March 17-18) as well. Despite this, if no measurable precipitation develops, it is expected that soil moisture levels would require irrigation by early April. Hence starting the irrigation season on the 24th would insure that those at the end of the first 14 day rotation (April 8th) would have water in ample time.

A motion was made by Director Alpers, and seconded by Director Brichetto, and unanimously supported to approve staff's recommendation for the start of the 2005 irrigation season.

At 10:00 a.m. the Board of Directors welcomed participation by the public in the meeting.

PUBLIC COMMENT
ITEM NO. 17

Mr. Edge wanted to know how long OID has to respond to a request for information by the public. Mr. Edge also stated that the day after the last Board Meeting there was an article in the *Oakdale Leader* stating that the Country Club would be getting water and thought that this would have been an issue to come before the Board.

Mr. J. E. Cargill expressed some concerns with the Claribel Pipeline. Director Clark requested the Water Committee schedule a meeting with Mr. Cargill and Gary Jernigan to resolve his concerns.

Ken Krause stated that he has experienced discourtesy being shown to the constituents when they attempt to speak with the Board. He also commented on the fact that this is the fourth week that the microphones were not working. He asked if OID was expending any money to provide the Country Club with water. He asked if the auction date had been scheduled for the surplus property. He also asked if the Board was going to be reading pertinent communications at the Board Meetings as was done prior to January 2002.

Mr. Foard stated that he hoped the Claribel Pipeline would turn out good this time around.

At 10:23 a.m. the Board Meeting continued with Action Item No. 9.

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE THE CITY OF
RIVERBANK AGRICULTURAL AND STORM DRAINAGE LICENSE AGREEMENT

The City of Riverbank has approached OID in assisting to alleviate the agricultural and storm drainage problem specific to the intersection of California Avenue and Central Avenue. Staff has prepared an Agricultural and Storm Drainage License Agreement which is intended to help the City of Riverbank with their problems while protecting the District and its infrastructure.

This matter was presented at the March 1, 2005 Board meeting and it was requested that the completed agreement be brought to the Board for approval. The agreement has had the review of OID legal counsel.

Ms. Lori Barton from the City of Riverbank was present at the Board Meeting.

After a discussion a motion was made by Director Brichetto to deny the City of Riverbank Agricultural and Storm Drainage License Agreement. Said motion died due to lack of a second. Thereafter a motion was made by Director Webb, and seconded by Director Alpers to Approve the City of Riverbank Agricultural and Storm Drainage License Agreement, and was voted as follows:

Ayes: Directors, Alpers, Webb, Clark
Noes: Director Brichetto

ITEM NO. 7
REVIEW AND TAKE POSSIBLE ON A RESOLUTION SETTING 2005 WATER
RATES FOR IRRIGATION OF LANDS OUTSIDE OAKDALE IRRIGATION DISTRICT
BOUNDARIES AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE
IRRIGATION OF LANDS OUTSIDE DISTRICT BOUNDARIES AGREEMENTS

As provided for in the District's Agreement for Lands Outside District Boundaries, Irrigation Water Rates shall be set on the first board meeting held in March of each year. Based on the attached rate analysis, the "unsubsidized" rate for water is \$217 per acre or \$43 per acre foot (flow rate) based on the OID's 2005 budget.

In 2004, the per acre charge for out-of-district water was as follows:

- \$15.00 per acre foot, or
- \$61.00 per acre for those landowners owning less than 10 acres and grandfathered into the Agreement for Irrigation of Lands Outside District Boundaries adopted January 20, 2004, and
- \$48.00 per acre for those landowners owning 10 acres or larger and grandfathered into the Agreement for Irrigation of Lands Outside District Boundaries adopted January 20, 2004.

The Board is requested to set a rate for the per acre receipt of water and a per acre foot rate for all applicants who are required to pay for the volume of out-of-district water they receive.

A motion was made by Director Brichetto to keep the rates the same as the last year. Said motion failed due to lack of a second.

A motion was made by Director Alpers and seconded by Director Clark to increase the rates by 30% and to include language similar to the following, "If the State of California levies fees or other charges on OID, OID reserves the option to pass these costs on to the water consumer," and was voted as follows:

Ayes: Directors, Alpers, Webb, Clark
Noes: Director Brichetto

ITEM NO. 10
REVIEW AND TAKE POSSIBLE ACTION TO AWARD BID
FOR THE REPLACEMENT OF THE BRADY RIVER PUMP TO FLO-MASTER PUMP

Director Louis Brichetto excused himself from the Board Meeting.

The Brady River Pump replacement is a budgeted capital expense identified in the 2005 budget. Staff has reviewed and evaluated the five (5) bids received and recommends discarding the lowest bid by Amerine Systems due to lower pumping capacity and lower operating efficiency and recommends award of bid to the next lowest bidder, Flo-Master Pump.

The bowl assembly bid by Flo-Master was the same assembly bid by all other bidders except Amerine. The bowl assembly bid by Flo-Master is a higher efficiency bowl (85% plus for the Cascade bowl versus 77%-82% for the Pump-Flo bowl) and will save the OID approximately \$400-\$600 annually due to this higher operating efficiency. Over the life of the bowl assembly, OID will save considerably more money than the current difference in initial cost. In addition, the Flo-Master pump provides a higher flow rate over the design TDH range.

Based on reduced power costs over the life of the bowl assembly, staff recommends award of bid to Flo-Master.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to Award the Bid for the Replacement of the Brady Pump to Flo-Master Pump.

Director Louis Brichetto returned to the Board Meeting.

ITEM NO. 11
REVIEW AND TAKE POSSIBLE ACTION ON REQUEST TO
PURCHASE SPILL CONTAINMENT EQUIPMENT FOR AUTO SHOP AREA

Last year the District approved a Spill Prevention Control and Countermeasure Plan to prevent the contamination of both above ground and underground waterways in order to comply with Federal regulations regarding 40 CFR Part 112, the Safe Storage of Petroleum Products and the Prevention of Contamination to Surface & Ground Waters as listed in the Clean Water Act.

As a part of the facility inspection, a number of areas that needed spill control or additional spill measures were noted. A detailed plan for improving the systems for petroleum storage was prepared and is attached outlining the locations for these devices and listing needed additional equipment. Various vendors were checked for this specialized equipment but most offered a limited selection of devices at a higher price than a local vendor. Based on cost, DonLee Pump Co. was the preferred provider of the new waste oil tank based on price and lower shipping costs. The proposed waste oil tank is the same double wall tank type that was purchased by the District last year to store motor oil. The cost of the equipment is within the \$5,000 budgeted for Spill Containment Equipment and Supplies in the 2005 Budget.

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve the Request to Purchase Spill Containment Equipment for Auto Shop Area.

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION ON GRANTING EXTENSION
OF TIME TO REJECT THE AUGUST 12, 2004 CLAIM OF KERRY O'DONNELL

The District rejected the above referenced claim on September 21, 2004 and forwarded the claim to ACWA JPIA on September 22, 2004. ACWA JPIA has requested that the District grant an extension of its rejection for an additional 90 days as they have not resolved this claim, but feel that they will be able to within the extension period.

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to Grant the Extension of Time to Reject the August 12, 2004 Claim of Kerry O'Donnell by an additional 90 days.

DISCUSSION ITEM
ITEM NO. 13
DISCUSSION ON BUSINESS ITEMS ARE THEY APEAR ON
THE TRI-DAM BOARD AGENDA FOR THURSDAY, MARCH 17, 2005

It was requested that the Board begin reviewing the Tri Dam Board agendas prior to each meeting so that consensus on issues can be reached before the meetings.

Director Clark stated that the Board needs to discuss the Tri-Dam Agenda prior to the Board Meeting on Thursday. Director Clark stated that we need to have our position in place prior to going to the Tri-Dam Meeting. Director Clark also requested that the Agenda and any information be made available to the public at the front counter.

Director Alpers said there are four areas for future discussion: (1) the organization of Tri-Dam in the future; (2) Tri-Dam Authority should be discussing or thinking about refinancing the bonds that we owe; (3) when we make a profit how we are going to put it in a fund and how we are going to bring the money down; and (4) a better system of checks and balances on Tri-Dam expenses, like credit cards, etc. The last item may need to be placed on the Agenda for the next Board Meeting.

COMMUNICATIONS
ITEM NO. 18

A. **GENERAL MANAGER'S REPORT**

Irrigation Off-Season Activities

1. DSO orientation was held on March 2nd – 4th.
2. A Spring Water User Notice has been mailed out.
3. Interviewed 8 DSO candidates.
4. Met with USGS on their refinement and understanding of groundwater flows to the Modesto Basin. Will be providing them information in the coming months.

Safety Activities

1. OID has gone 305 days without a lost time injury accident.
2. March is Fire Safety Month.
3. John Haaf (ACWA/JPIA) will be here at the end of March to provide safety training.
4. Will be presenting to the Board a Safety Poster Program at the April 5th meeting.

Administration Activities

1. Staff met with LAFCO and has begun the CEQA process for the Golden West, Verburg and Haydn-Myer annexations. A Negative Declaration is to be sent to the State Clearing House this week to open up the 30 day comment period. We are looking at certifying the Neg. Dec. (if no responses) at the April 19th Board Meeting and adopt a resolution to accept the parcels as annexed lands to OID. Once complete, the documents will be forwarded to LAFCO for final processing.
2. The GM is scheduled to go to LAFCO April 27th to give a presentation on them on our Water Resources Plan.

3. Upon adoption of the minutes by the Board, a letter will be sent to Stanislaus County Planning regarding the rescission of Condition 29 for the Silveira properties.
4. Mr. King hosted an Oakdale High School student on a business education program sponsored by OHS.
5. The newspaper article about supplying water to the golf course generated some phone calls. Likewise, the article did generate a personal editorial in the paper. Unfortunately, the golf course and the town water system are an apple to orange comparison. The golf course does not take City water and hence CCR Title 17 does not apply and compliance under Title 22 is not applicable. In addition, the golf course is not a public facility, it is private. The land upon which the golf course was constructed was historically farmland. The landowners at the time were on the water charge and paid their water charges until their land was subdivided and broken into separate parcels, sometime in the late 50s to early 60s (per aerial photography). At that time the new owners for the golf course parcel went to deep wells and were classified as a non-irrigable status. Their connection to the OID system is viewed as a new connection.

Accounting Activities

1. Auditors have completed their tasks and are preparing the audit.
2. Working on scenarios with Water Resources Financial Model.
3. Working on refinance options at Tri Dam.

C&M Operations Activities

1. Gunite of the Campbell Lateral completed from H/G to Pleasant Valley Road. Punch List Items for Water Delivery being completed with scheduled completion for March 16th. Final grading and fence installation to be completed after Water Season begins.
2. Re-Shaping of the Banks downstream from 1st drop to 2nd drop completed. Floor poured and preparation of walls for Gunite in progress to be completed on March 17th. Bank and ditch to be re-shaped and trim from 2nd drop to 3rd drop prior to March 18th. Remaining Punch List Items not required for Water Delivery will be completed after Water Season begins.
3. Corn Box on the Fairbanks Lateral - Installation of 36" RCP completed and backfilled. All gates installed. Final clean up in progress but will be delayed until after water season begins due to other projects required to be completed prior to water season.
4. Mootz Lateral to Pipeline Conversion restarted after delay due to rain. Cunningham working on structure and Mozingo completing punch list items work to be completed prior to March 18th.
5. Wills Lateral to Pipeline Conversion structures to be completed by March 18th. Cunningham is performing the construction.
6. Glines Pipeline relocation project completed except for punch list item and warranty work. Water delivery can occur with the remaining punch list items to be worked before or during a rotation.
7. The Williams Pipeline replacement completed except for installation of Turnout. Discussions with Landowner completed OID to install one clover valve.
8. Clavey Booster Pump Station rehabilitation continued. Installed electronics and pumps. Miscellaneous items outstanding, scheduled completion March 17th.

9. Claribel Lateral Rehabilitation Project progressed with all lining installed, headwalls poured, road crossings completed and valves installed. Project will be ready for Water Delivery on the March 16th. Remaining items to be completed by April 1st.
10. Rodden Dam Gate Replacement work resumed with the installation of scaffolding, drilling for anchors, setting frame, installation of the Gate. Stem modification completed and installed. Final adjustments and gauging completed. Operator scheduled for delivery on March 16th. Manual operation will be required for the first two weeks of the Water Season. Gate will be completed prior to the start of Water Season.
11. Moulton Pipeline Replacement contract awarded. Work started on March 4th. Completion scheduled for March 18th.
12. River Road Pipeline on the Gambini property started with the replacing of the 48" CIP with 48" RCP. Approximately 400 feet needs to be replaced. Major problems encountered. Completion scheduled for March 16th for Water Delivery. Final work will be completed after water season.
13. Condor conducted the South Main inspections and is developing a report on the re-validation of the South Main and evaluating the alternate routes of a new tunnel(s).
14. Other Critical Activities being performed to enhance the delivery of water i.e. leaks being repaired, cleaning being conducted valves and gates being repaired or replaced.

Engineering Activities

1. Numerous activities to support the construction effort.
2. Engineering review of structures for the Wills, Claribel and Campbell
3. Engineering coordination of Gillian and Kull.
4. Coordinating Engineering Punch Lists for the various ongoing projects
5. Scope development of the Comet Crossing at the SSJID.

Water Utility Activities

1. Nielsen has ID meetings scheduled each Thursday until March 24th discussing the establishing a reserve fund.
2. Nielsen has prepared a first draft of the ID newsletter.
3. The State is requiring the testing of Radium 228 this year. This added requirement will necessitate an added \$1,000 for each well in each I.D.

B. COMMITTEE REPORTS

None.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Alpers

None.

Director Webb

Director Webb asked who was meeting with the Iris Court residents on Wednesday night to discuss the water in the park. Director Webb also wanted to know the status of the Root Drain.

Director Clark

Director Clark wanted to clarify with the other Board members that if a water user outside of his district contacts him with a question they should tell that water user that they should contact the Director of their district. Director Clark also commented on an Assembly Bill presently before the Senate that was authored by Ms. Kuehl.

Director Brichetto

Director Brichetto stated that the City Planning Department has a magazine rack in their office that contains a portion of the City's policies and he felt that would solve a lot of OID's issues if we had our policies available at the front counter. Director Brichetto also wanted to know if CH2M Hill had a list of design people for irrigation design if we need more expertise. Director Brichetto also requested that the General Manager look into recording the meetings by using close circuit television.

OTHER ACTION
ITEM NO. 16

At the hour of 11:55 a.m. a motion was made by Director Brichetto, and seconded by Director Alpers, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, April 5, 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, March 17, 2005 at 9:00 A.M.** in the board room of the Manteca Irrigation District, 11011 East Highway 120, Manteca, CA.

Frank Clark, President

Attest:

Steve Knell, P.E., General Manager