

MINUTES

Oakdale, California
November 7, 2006

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

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

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions or deletions 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

Kay Martinelli, William Frias, and Joe Murray of Knights Ferry were present at the Board Meeting and requested that they be provided water during the non-irrigation season pursuant to their understanding of the Knights Ferry Water Rights Agreement.

A motion was made by Director Webb, seconded by Director Bairos, and unanimously supported to add this item to the Agenda on an emergency basis.

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to create a list of individuals who need water for their livestock and start delivery of water with the use of water trucks until water is started up again.

Director Bairos requested that a letter be forwarded to the Knights Ferry customers advising them of the water situation and providing them with a number of who to call if they

need water. Director Bairos further stated that the District needs to get to the bottom of the Knights Ferry Water Rights.

Director Clark stated that he would like a committee from Knights Ferry, an ad hoc committee from the District, and staff to get together to discuss the Knights Ferry Water Rights. Director Webb stated that he will appoint a committee and will get in touch with Knights Ferry to schedule a committee meeting.

John Vierra, Rick Crofts, and Bobbie Corrigan who have property on the Merrihew Pipeline were present to state their objection to the abandonment of the Merrihew Pipeline. These property owners were advised that one of the conditions given by the District to the property owner requesting the parcel split was that he had to get the consent of all property owners that were going to be affected by the abandonment. The landowners were advised that this matter is scheduled for the Board Meeting on November 21, 2006 and they should be present to express their objection to the abandonment at that time.

Danielle Wiemken who lives at 12966 Orange Blossom Road stated that she has an easement on the Merrihew Drain and stated that the gate on the Merrihew Drain gets clogged and floods her property. She requested that this drain be cleaned by the District. She will forward a letter to the Board making this request.

There being no further Public Comment; Public Comment closed at 9:52 a.m. and the Board Meeting continued.

CONSENT ITEMS
ITEM NOS. 2, 3, 4, 5, 6, 7

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS'
MINUTES OF THE REGULAR MEETING OF
OCTOBER 17, 2006 AND RESOLUTION NOS.
2006-55, 2006-56, 2006-57, 2006-58, 2006-59, and 2006-60,

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of October 17, 2006 and Resolution Nos. 2006-55, 2006-56, 2006-57, 2006-58, 2006-59, and 2006-60.

ITEM NO. 3
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 4
APPROVE GENERAL SERVICES AGREEMENTS FOR VARIOUS VENDORS AND CONTRACTORS (DON PEDRO PUMP, DAVID WILLSON CONSTRUCTION, INC., QUICKSAND EXPRESS, CONLIN FENCE CO., AND ANDREETTA'S AG CONSTRUCTION)

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the General Services Agreements for various vendor and contractors (Don Pedro Pump, David Willson Construction, Inc., Quicksand Express, Conlin Fence Co., and Andreetta's Ag Construction).

ITEM NO. 5
APPROVE ENCROACHMENT AGREEMENT ON THE SOUTH MAIN CANAL (APN: 010-015-071 – HOEKSTRA DAIRY)

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Encroachment Agreement on the South Main Canal (APN: 010-015-071 – Hoekstra).

ITEM NO. 6
APPROVE ENCROACHMENT AGREEMENT ON THE LANGWORTH PIPELINE (KIMBLE HILL HOME)

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve Encroachment Agreement on the Langworth Pipeline (Kimble Hill Home).

ITEM NO. 7
APPROVE ENCROACHMENT AGREEMENT ON THE SNEDIGAR PIPELINE (APN: 075-015-020 – JKB HOMES, INC.)

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Encroachment Agreement on the Snedigar Pipeline (APN: 075-015-020 – JKB Homes, Inc.).

ACTION CALENDAR
ITEMS 8, 9, 10, 11, 12, 13, 14, 15

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION TO CERTIFY THE VOTE OF THE IMPROVEMENT DISTRICT NO. 38 MEMBERSHIP TO PROCEED WITH REPLACEMENT OF TWO (2) C-10 TURNOUT GATES

To certify the vote of the improvement district membership regarding the approval or disapproval of the Expenditure of Funds to replace two (2) C-10 turnout gates for use by Improvement District No. 38.

Chief Financial Officer, Kathy Cook, reported that Improvement District No. 38 voted to proceed with replacement of two (2) C-10 Turnout Gates by the following vote:

Disagree	1
Agree	1
11 - Non Votes (considered as yes votes)	

A motion was made by Director Alpers, seconded by Director Bairos, and unanimously supported to certify the vote of ID 38.

Thereafter Director Clark stated that he thought the ID 38 Water Users Notice was flawed. After looking at the notice it was agreed that there was an error in the notice and that the notice should be resent and the matter brought back to the Board to certify the vote at the November 21, 2006 meeting.

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION ON
CLAIM FOR DAMAGES ON THE FAIRBANKS PIPELINE (DUTRA)

In June, 2006, the District replaced approximately 2,500 feet of the Fairbanks Pipeline located on Mr. Dutra's property at 12625 Steinegul Road due to multiple leaks. The old pipeline curved through Mr. Dutra's property. Upon request by the District, Mr. Dutra gave the District permission to install the new pipeline straight through the property.

Mr. Dutra claims that the District told him the old pipeline would be removed. OID disagrees with this assertion by Mr. Dutra. OID's past practice has never been removing buried pipelines unless the landowner pays for that added cost. In all cases, a relocated pipeline from a field adds value to the land by not encumbering its accessibility. Mr. Dutra eventually removed the old Fairbanks Pipeline and has submitted a claim for the reimbursement of those costs.

Mr. Dutra was present to present his claim to the Board of Directors. Also present was his father-in-law, Joe Rocha, and his brother-in-law, Joey Rocha.

After discussion, a motion was made by Director Clark, seconded by Director Bairos, and unanimously supported to reject the claim and forward it to ACWA/JPIA for handling.

ITEM NO. 10
REVIEW AND TAKE POSSIBLE
ACTION ON A ONE-TIME REBATE TO OAKDALE
IRRIGATION DISTRICT SURFACE IRRIGATION WATER CUSTOMERS

As directed by the Board of Directors at their meeting on October 17, 2006, the Finance Committee met to discuss granting District surface irrigation water customers a one-time rebate.

Director Clark stated that the Finance Committee met and felt that the District was in good financial condition and that it would be a good idea to provide a one-time rebate to its

customers of \$5.00 per acre or a \$5.00 minimum this year. The possibility of future rebates would be decided on an annual basis.

A motion was made by Director Webb, seconded by Director Alpers, and unanimously supported to approve a one-time rebate to the Oakdale Irrigation District Surface Irrigation Water Customers of \$5.00 per acre or a \$5.00 minimum.

ITEM NO. 11
REVIEW AND TAKE POSSIBLE ACTION ON A
RELEASE OF PHASE 2C OF THE CAPE
HORN TUNNEL REHABILITATION PROJECT

This 7,200 foot tunnel on the North Main Canal has its beginnings near upper Horseshoe Road and terminates into OID's Rodden Lake. The construction of the tunnel's outfall into Rodden Lake keeps the bottom one-third of the tunnel submerged all the time. Over the course of many years, this constant submergence has resulted in the spalling of the tunnel's roof to the point it looks like a round cave instead of the more structural sound arched roof and vertical sidewall geometry of a stable tunnel. The tunnel has the highest potential for collapse if work is not done soon. We estimate the cost for the repair of the damage to the lower third of the tunnel to be \$4 million. Tunnel repairs are planned to begin in the fall of 2007.

In order to meet the planned construction date, Condor needs to finish the design plans and construction specifications, known as Phases 2A and 2B in the attached project report. Staff recommends approval of this work.

Scott Lewis of Condor Earth Technologies, Inc. was present and discussed Phase 2C of the Cape Horn Tunnel Rehabilitation Project.

A motion was made by Director Bairos, seconded by Director Alpers, and unanimously supported to approve the Release of Phase 2A and 2B of the Cape Horn Tunnel Rehabilitation Project.

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION ON
RELOCATION OF UNION PIPELINE (APN: 010-017-020 – SONS)

Mr. Sons has requested that the Union Pipeline be relocated through his parcel to better suit his future agricultural endeavors. Staff's recommendation is set-forth below and is based on current District Policy.

The Union Pipeline through this parcel is not currently on any immediate Oakdale Irrigation District (OID) priority list and is not causing any operational problems for OID. Given this fact and in accordance with the attached OID Cost Share Policy (Resolution No. 92-05), OID is willing to financially contribute between ten (10) and thirty (30) percent of the total project cost. The total project cost includes, engineering, procurement and construction is estimated at \$153,000. Please refer to the attached cost estimate. Given the percentages of OID contribution as noted above, the project would cost OID between \$15,300 and

\$45,900. Presently, Mr. Sons will provide any and all fencing, any required dirt for backfill and new easements all of which are not reflected in the estimate.

Please note that Mr. Sons is asking that the Union Pipeline be relocated and not reinstalled in its current alignment as shown in the attached project site map. This is important to note because the current cost share policy does not address relocation of OID facilities to the benefit of the landowner. Mr. Son's proposal adds approximately two-hundred and thirty (230) feet of new pipeline as opposed to installing a new pipeline in its current alignment. A cost estimate for installing a new pipeline in its current alignment has been added to this report for your review. The total project cost for installing a new pipeline in its current alignment is estimated at approximately \$137,000. Given the percentages of OID contribution as noted above, the project would cost OID between \$13,700 and \$41,000.

Staff recommends participating financially between ten (10) and thirty (30) percent of the total project cost for replacement of the pipeline in its current alignment. Should Mr. Sons wish to have the pipeline relocated to benefit himself and his future agricultural endeavors, Staff recommends that he pay the associated added costs in their entirety.

Mr. Sons was present at the hearing and a lengthy discussion took place.

A motion was made by Director Bairos for the District to cover 75% of the cost for the relocation of the Union Pipeline and was seconded by Director Webb. The motion failed.

After further discussion, Director Bairos revised his motion to state that Mr. Sons will pay the difference between the cost of relocation and the cost of replacement of the pipeline, or the sum of not to exceed \$15,000.00. The District will remove the pipeline in lieu of Mr. Sons providing the necessary dirt. This motion was seconded by Director Clark and was unanimously approved by the Board of Directors.

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION
AUTHORIZING THE PURCHASE OF
LASER EQUIPMENT FROM PACIFIC LASER, INC.

The purchase of new laser equipment is budgeted for 2006 in the amount of \$12,500. The equipment is very specialized with limited supply sources. The equipment previously purchased by the District has been from Pacific Laser Inc. of Woodland, CA. In addition, the District leases equipment on an "As Needed" basis from this same vendor. Efforts were made to locate additional suppliers in the area with compatible equipment. None were located except for Pacific Lasers Inc.

A motion was made by Director Alpers, seconded by Director Bairos, and unanimously supported to approve the purchase of laser equipment from Pacific Laser, Inc. in the sum of \$8,130.00 plus tax.

ITEM NO. 14
REVIEW AND TAKE POSSIBLE ACTION ON
AWARD OF BID TO REPLACE THE HUNTER RANCH
ESTATES DEEP WELL PUMP AND WATER STORAGE TANK

Currently the Hunter Ranch Pumping Station is not capable of sustained operations. Water flows out of the storage tank faster than it can be replaced by the pump during periods of high water use in the summer months or during an emergency. The pumping station will automatically shut-down when water levels in the storage tank are too low. This is to prevent damaging the booster pumps. This loss of a water source could have a negative impact during an emergency, such as a fire.

Replacement of the pump and storage tank will prevent this from occurring. A savings in electrical power consumption should result in the upgrading of the site as demonstrated when the Country Club Pumping Station underwent a similar procedure.

Bids were solicited from the seven pump contractors on OID's list of bidders. Only one contractor submitted a complete bid containing all required information as contained in the "Terms and Conditions" section of the bid packet. Staff requests the Board award the contract for the Hunter Ranch Estates Project to the lowest qualified bidder, Golden State Irrigation.

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the award of bid to replace the Hunter Ranch Estates deep well pump and water storage tank to Golden State Irrigation.

ITEM NO. 15
REVIEW AND TAKE POSSIBLE ACTION
AUTHORIZING GENERAL MANAGER TO EXECUTE
A CONTRACT FOR THE APPRAISAL OF THE NORTH
SIDE RESERVOIR SITE (APN: 002-052-025 – JOSLIN)

As part of the Water Resources Plan (WRP) completed by CH2M Hill earlier this year, a new north side reservoir location was selected to meet the operational needs of Oakdale Irrigation District (OID). Of all projects in the WRP, the north side reservoir is the most critical to meet our ability to better manage our irrigation water on the north side. During the course of preliminary discussions with the current landowner it was decided that a property appraisal should be done on the parcel of interest for the reservoir site.

A motion was made by Director Webb, seconded by Director Bairos, and unanimously supported to authorize the General Manager to execute a contract for the appraisal of the North Side Reservoir Site (APN: 002-052-025 – Joslin).

DISCUSSION ITEMS
ITEM NOS. 16

ITEM NO. 16
DISCUSSION/PRESENTATION/UPDATE
BY CONDOR EARTH TECHNOLOGIES ON THE
CONSTRUCTION OF A TUNNEL DOWNSTREAM OF 2-MILE BAR

Condor to provide the Board with a status report on the construction of a bypass tunnel that may replace that portion of the South Main Canal downstream of 2-Mile Bar.

Scott Lewis and Barry Hillman of Condor Earth Technologies, Inc. gave a presentation/update through a PowerPoint presentation on the construction of a tunnel downstream of 2-Mile Bar.

ITEM NO. 17
COMMUNICATIONS

Safety Activities

1. OID has gone 166 days without a lost time injury accident.

Administration Activities

1. We have reached an agreement on with Stanislaus County Public Works regarding remaining issues with CSA No. 23 at Hillsborough Estates and the West Oakdale No. 1 Pipeline.
2. No progress on the OID property appraisal.
3. The BenchMark PSA for the Riverbank detachment ran \$3,500 over the estimate due to the need to comply with mapping requirements for the State, which weren't previously known.
4. OID received a request to remove an air vent from the parking lot of the Oakdale Christian Church to accommodate some church parking lot upgrades. OID will do the vent removal at no cost to the church.
5. OID has paid its \$1,185 permit fee for its aquatic pesticide permit from the State.
6. The budget for the SJRGA was approved at the Commissioner's meeting on October 27th. Each ID's share will be \$99,395.

Accounting Activities

1. Preparation on OID's Rural Water System Rate Study.
2. Meet and Confer on a Labor contract continues to consume lots of time.
3. Updated OID's equipment rates.
4. Preparing for OID's 3rd annual Employee's Benefits Day on November 15, 2006.

Irrigation Activities

1. Meeting with ID 52 members regarding merging with OID's RWS. A vote and ballot for same to be prepared.

C&M Operations Activities

1. The Grider Pipeline Replacement Project installation started on September 15, 2006 and progressed extremely well. Mozingo will be Substantially Complete on November 03, 2006 with punch list items to complete.
2. North Main Canal lining replacement downstream of Sonora Road was completed.
3. Second Phase of the Frymire Lateral bank stabilization started. Gunite stated on November 6, 2006.
4. River Road Lateral road crossing at Pioneer Road started with completion schedule for November 10, 2006.
5. RTC started demolition and pipe receiving for the Campbell Pipeline Replacement Project. Completion scheduled for December 29, 2006.
6. Preston Pipelines mobilized and started pipe installation on the North Dudley Pipeline replacement project. Due to the condition of the existing pipe at the tie-in (steel riveted pipe), additional pipe is being installed to get to the next structure. A change order will be placed on the next agenda to cover this added cost of 360 feet of PVC.
7. Bank rehabilitation continues on the South Main Upstream of Tunnel 9.
8. Crouch Pipeline structure at Sawyer road demolished and being replaced.
9. Concrete Control Structure for the Union Pipeline on Stoddard Road was demolished and re-construction began.
10. Pipeline leads identified during the Water Season being repaired.
11. Winter Work Identification and Scope Development program issued and updated on a weekly basis.
12. Ditch cleaning program continues as well as tree trimming and bank clearing.

Engineering Activities

1. Design continued on the Lambuth Pipeline, Clarke Pipeline and the Merrihew Pipeline Replacements.
2. Continued design on the Claribel/Stowell Bifurcation Project.
3. Monitoring contractors RTC for the Campbell Pipeline Replacement project and Preston Pipelines for the North Dudley pipeline replacement project.
4. Response to Suspense Forms.
5. Providing support to the Water Operations Department.
6. Completing engineering drawings for the Pioneer, Bentley, Crow and Sonora road crossings.
7. Worked with Contractor for replacing of the Union P/L Control Structure on Stoddard Road.
8. Support to Construction & Maintenance department.

Legal Activities

1. Steelhead hearing on May 7th. Other issues being litigated ahead of ours such that our case could go away if we get the judgment we expect.
2. At the CALFED meeting F&G presented their fish model. We asked why our comments had not been incorporated and were diverted to the need to peer review the model before incorporating any changes.
3. East San Joaquin Water Quality Framework Agreement got a 6-month extension.
4. San Joaquin River Group/Trib. Agencies are;
 - a. Suing on ACL
 - b. Suing on the DO-TMDL

- c. Suing on the Salt and Boron TMDL
- d. Suing on the 303(d) List for the SJR

A. **COMMITTEE REPORTS**

Finance Committee – The Finance Committee previously reported on their meeting held on October 17, 2006 under Board Agenda Item No. 10.

B. **DIRECTORS' COMMENTS/SUGGESTIONS**

Director Alpers

Director Alpers brought to the Board's attention that SSJID may want to start discussions regarding Tri-Dam's future and who will be buying the electricity. He also asked if the South Main at the JLG Property is going to be addressed soon.

Director Clark

Director Clark had no comments.

Director Webb

Director Webb appointed Director Clark and himself to the ad hoc Knights Ferry Committee.

Director Bairos

Director Bairos expressed concern about customers stating that they feel like they are being treated like second class citizens. He wondered if there needed to be some type of training afforded or a discussion with staff about the way that matters should be handled.

Director Taro

Director Taro stated that he felt that it is a good idea to put everything in writing. He believes that that would take care of a lot of problems that the District has had and could have in the future.

At the hour of 12:06 p.m. a motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to go into Closed Session.

ITEM NO. 18
CLOSED SESSION

A. *Government Code §54957.6 Conference with Labor Negotiator*
Agency Negotiator: Katherine Boyd
Unrepresented Employees: Operating Engineers Local Union No. 3

At the hour of 12:56 p.m. a motion was made by Director Taro, seconded by Director Bairos and unanimously supported to return to the regular meeting.

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

OTHER ACTION
ITEM NO. 25

At the hour of 12:56 p.m. a motion was made by Director Alpers, and seconded by Director Bairos, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, November 21, 2006, 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 16, 2006, at 9:00 a.m.** in the Board Room of the South San Joaquin Irrigation District 11011 East Highway 120, Manteca, California.

Steven A. Webb, President

Attest:

Steve Knell, P.E., Secretary