

MINUTES

Oakdale, California
May 14, 2019

The Board of Directors of the Oakdale Irrigation District invited all to recite the Pledge of Allegiance and then met in Special Session at the hour of 9:00 a.m. Upon roll call, there were present:

Directors: Tom Orvis, President
Herman Doornenbal
Brad DeBoer
Gail Altieri, Vice President
Linda Santos

Staff Present: Steve Knell, General Manager/Secretary
Jason Jones, Support Services Manager
Eric Thorburn, Water Operations Manager
Sharon Cisneros, Chief Financial Officer
Kim Bukhari, Human Resources Analyst

Also Present: Fred Silva, General Counsel
Tim O'Laughlin, Water Counsel

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions or deletion of agenda items.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

General Manager Steve Knell stated that Water Counsel Tim O'Laughlin may be late to the meeting as he was at Calaveras County Board of Supervisors Meeting making a presentation.

At the hour of 9:05 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 1

Robert Frobose addressed the lawsuit against Directors Santos and Altieri and made comments about water issues that appeared in the Modesto Bee.

Attorney Fred Silva reminded the Board that the OID v Santos and Altieri is still an ongoing litigation case and advised Directors not to make any public comments regarding ongoing litigation matters.

There being no further Public Comment; Public Comment closed at 9:11 a.m. and the Board Meeting continued.

Director Santos requested Item No. 14 be pulled from the Consent Calendar.

CONSENT ITEMS

ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17

ITEM NO. 2

**APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE
REGULAR MEETING OF APRIL 2, 2019 AND RESOLUTION NO. 2019-09**

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of April 2, 2019 and Resolution No. 2019-09.

ITEM NO. 3

**APPROVE BOARD OF DIRECTORS'
MINUTES OF THE SPECIAL MEETING OF APRIL 30, 2019**

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the Board of Directors' Minutes of the Special Meeting of April 30, 2019.

ITEM NO. 4

**APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS**

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

ITEM NO. 5

**APPROVE OID IMPROVEMENT
DISTRICT'S STATEMENT OF OBLIGATIONS**

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve OID Improvement District's Statement of Obligations.

ITEM NO. 6
APPROVE THE MONTHLY TREASURER'S
REPORT AND FINANCIAL STATEMENTS FOR
THE THREE MONTHS ENDING MARCH 31, 2019

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve Monthly Treasurer's Report and Financial Statements for the Three Months Ending March 31, 2019.

ITEM NO. 7
APPROVE PURCHASE OF ONE (1) SKID STEER
AUGER FROM GARTON TRACTOR (BUDGETED)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the purchase of one (1) skid steer auger from Garton Tractor (Budgeted).

ITEM NO. 8
APPROVE PURCHASE OF ONE (1) SKID STEER
POST DRIVER FROM PAPE MACHINERY (BUDGETED)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the purchase of one (1) skid steer post driver from Pape Machinery (Budgeted).

ITEM NO. 9
APPROVE PURCHASE OF ONE (1) ELECTRIC
PRESSURE WASHER FROM UNITED RENTALS (BUDGETED)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the purchase of one (1) electric pressure washer from United Rentals (Budgeted).

ITEM NO. 10
APPROVE PURCHASE OF ONE (1)
DIAGNOSTIC SCANNER FROM SNAP-ON (BUDGETED)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the purchase of one (1) diagnostic scanner from Snap-On (Budgeted).

ITEM NO. 11
APPROVE AWARD OF BID TO DITCH WITCH WEST – FOWLER
FOR ONE (1) WALK BEHIND TRENCHER WITH TRAILER (BUDGETED)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously

supported to approve award of bid to Ditch Witch West – Fowler for one (1) walk behind trencher with trailer (Budgeted).

ITEM NO. 12

APPROVE WORK RELEASE NO. 089 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO PROVIDE SURVEYING SERVICES AND PLAT AND LEGAL DESCRIPTIONS FOR THE KEARNEY LATERAL THROUGH APN: 010-019-029

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve Work Release No. 089 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for Professional Services to Provide Surveying Services and Plat and Legal Descriptions for the Kearney Lateral through APN: 010-019-029.

ITEM NO. 13

APPROVE WORK RELEASE NO. 090 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO PROVIDE SURVEYING SERVICES AND PLAT AND LEGAL DESCRIPTIONS FOR THE BURNETT LATERAL THROUGH APN: 060-003-042

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve Work Release No. 090 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for Professional Services to Provide Surveying Services and Plat and Legal Descriptions for the Burnett Lateral through APN: 060-003-042.

ITEM NO. 15

APPROVE AMENDMENT NO. 06 TO GENERAL SERVICES AGREEMENT 2013-GSA-031 WITH GROVER LANDSCAPE SERVICES FOR REVISED MONTHLY RATE SCHEDULE

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve Amendment No. 06 to General Services Agreement 2013-GSA-031 with Grover Landscape Services for Revised Monthly Rate Schedule

ITEM NO. 16

APPROVE REQUEST TO RECONNECT SUBSTANDARD PARCEL (APN: 010-083-003 - MCCONNELL)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the request to reconnect substandard parcel (APN: 010-083-003 - McConnell).

ITEM NO. 17
APPROVE DEFERRED CONDITIONS OF
APPROVAL AGREEMENT (APNS: 229-060-10/19/20 –
JOE P. CORREIA AND LISA CORREIA TRUST, ANTHONY
L. LAWRENCE AND CAROL L. LAWRENCE 2005 TRUST)

A motion was made by Director DeBoer, seconded by Director Altieri, and was unanimously supported to approve the Deferred Conditions of Approval Agreement (APNS: 229-060-10/19/20 – Joe P. Correia and Lisa Correia Trust, Anthony L. Lawrence and Carol L. Lawrence 2005 Trust)

PULLED CONSENT ITEMS
ITEM NO. 14

ITEM NO. 14
APPROVE AMENDMENT NO. 08 TO PROFESSIONAL
SERVICES AGREEMENT 2009-PSA-016 WITH O’LAUGHLIN &
PARIS, LLP FOR REVISED HOURLY RATE SCHEDULE

After discussion by the Board, President Orvis asked General Counsel Fred Silva how to proceed. General Counsel Fred Silva stated that a vote needs to be taken, it has been properly noticed and there needs to be another item for a performance review that needs to be agendized for a future meeting. If a performance review is going to be held it needs to be noticed and Mr. O’Laughlin needs to be given notice of that.

A motion was made by Director Santos and seconded by Director Altieri to table this item and reschedule it for a Closed Session to do a performance review of services rendered by this provider and was voted by the following roll call vote:

Director Altieri	Yes
Director Doornenbal	No
Director Orvis	No
Director Santos	Yes
Director DeBoer	No

The motion failed by a 2-3 vote.

A motion was made by Director DeBoer and seconded by Director Doornenbal to approve Amendment No. 08 to Professional Services Agreement 2009-PSA-016 with O’Laughlin & Paris, LLP for Revised Hourly Rate Schedule and was voted by the following roll call vote:

Director Altieri	No
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	No

Director DeBoer Yes

The motion passed by a 3-2 vote.

A motion was made by Director DeBoer and seconded by Director Santos to hold a performance evaluation of O’Laughlin & Paris LLP on a future date when Mr. O’Laughlin is available and that the Board submit questions to the General Manager in advance of the meeting to be provided to O’Laughlin & Paris, LLP, and was voted by the following roll call vote:

Director Altieri	Yes
Director Doornenbal	No
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 4-1 vote.

ACTION ITEMS
ITEM NO. 18, 19, 20

ITEM NO. 18

REVIEW AND TAKE POSSIBLE ACTION TO PROVIDE STAFF DIRECTION ON EXTENDING A PROFESSIONAL SERVICES AGREEMENT WITH FEDAK & BROWN, LLP FOR AUDIT SERVICES IN 2019, 2020 AND 2021 AND CONTINUATION OR NOT OF THE PREPARATION OF A COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) VERSUS THE PREPARATION OF AN ANNUAL FINANCIAL STATEMENT (AFS)

A motion was made by Director Altieri, seconded by Director Santos, and was unanimously supported to extend the Professional Services Agreement with Fedak & Brown LLP for Audit Services in 2019, 2020 and 2021 and the preparation of an Annual Financial Statement (AFS).

ITEM NO. 19

REVIEW AND TAKE POSSIBLE ACTION TO APPROVE ADOPTION OF RESOLUTION FINDING THE 2019 TEMPORARY WATER TRANSFER AGREEMENT BETWEEN OAKDALE IRRIGATION DISTRICT, SOUTH SAN JOAQUIN IRRIGATION DISTRICT AND STOCKTON EAST WATER DISTRICT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A motion was made by Director Doornenbal, seconded by Director DeBoer, and was unanimously supported to approve the Adoption of the Resolution Finding the 2019 Temporary Water Transfer Agreement between Oakdale Irrigation District, South San Joaquin Irrigation District and Stockton East Water District Exempt Under the California Environmental Quality Act (CEQA).

The following roll call vote was taken:

Director Altieri	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

ITEM NO. 20
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE ADOPTION OF
RESOLUTION FINDING EMERGENCY WATER SUPPLY AGREEMENT BETWEEN
OAKDALE IRRIGATION DISTRICT, SOUTH SAN JOAQUIN IRRIGATION DISTRICT
AND CHICKEN RANCH RANCHERIA ME-WUK INDIANS OF CALIFORNIA
EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A motion was made by Director Doornenbal, seconded by Director Santos, and was unanimously supported to approve the Adoption of the Resolution Finding Emergency Water Supply Agreement between Oakdale Irrigation District, South San Joaquin Irrigation District and Chicken Ranch Rancheria Me-Wuk Indians of California Exempt Under the California Environmental Quality Act (CEQA).

The following roll call vote was taken:

Director Altieri	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

DISCUSSION
ITEM NO. 21

ITEM NO. 21
PRESENTATION OF TWO-MILE BAR TUNNEL VIDEO

A presentation of Two-Mile Bar Tunnel Video was presented by Jason Jones.

COMMUNICATIONS **ITEM NO. 22**

A. GENERAL MANAGERS REPORT

General Manager Steve Knell discussed fish counts in the Stanislaus River and the opportunity for Directors to go on the Stanislaus NFP Electrofishing Tour with FishBio.

General Manager Steve Knell discussed the SJTA Commissioner's Meeting yesterday and their vote of approval to encourage EPA to move forward with their review of the State Water Resources Control Board's Water Quality Control Plan and make a sufficiency determination.

B. COMMITTEE REPORTS

Director Doornenbal discussed the SIGMA Ad Hoc Committee meeting that he attended with Eric Thorburn and Emily Sheldon. He was thankful that we have two people on staff that are doing an awesome job with this project.

C. DIRECTORS COMMENTS

Director Altieri

Director Altieri commented on her interest in pursuing the idea of using flags, similar to what they do on beaches, along the river to inform the public on river safety. She contacted Les Porter, fire rescue personnel, and he indicated he too would work on his end to do something about getting this up and running. She also felt it would be nice if OID helped with this flag proposal, and would be willing to spearhead it as an Ad Hoc Committee.

Director Orvis recommended that she bring it up at the Tri-Dam Meeting since it can also go into South San Joaquin's area.

Director Doornenbal

Director Doornenbal stated that the Directors all attended numerous ACWA seminars in Monterey. He was a little disappointed on what little emphasis ACWA put on Ag in this conference. Seemed mostly about clean drinking water.

Director Santos

Director Santos stated that she met a strong willed women in the sexual harassment course who was a compliance coordinator for several large cities. The lady talked about workplace issues she had experienced.

Director DeBoer

Director DeBoer commented on the properties that are inside the OID that are not using OID water. He stated that we need to start reaching out and getting those people brought back to using surface water because of SGMA.

He stated that he really enjoyed the Group to Team training the Directors and Staff attended. He stated that he has seen and feels the differences today. Director DeBoer feels that the Board needs to keep working on it. He stated that he is committed and he thinks the Board is also committed to do this. The improvement will be a positive statement to our constituents.

Director DeBoer congratulated Staff on the completion of the new Tunnel.

Director DeBoer stated that ACWA was very good. The seminar on the Delta was informative and interesting. It demonstrated the complexity of water in the State of California. The SIGMA seminar was also a big eye opener. There are counties that have already figured out how much each parcel is going to be able to pump upon full enforcement of SIGMA.

Director Orvis

Director Orvis thanked everybody who attended the 105th annual meeting of Stanislaus County Farm Bureau. He also commented on the challenges in California both legislatively and legally ahead.

Director Orvis attended the JPIA portion of ACWA which is the insurance division.

Director Orvis also attended the SIGMA seminar and he believes it will be a great equalizer, because groundwater is our water to be used as a last resort.

Member of the public, Robert Frobose, commented on Closed Session.

At the hour of 11:06 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION **ITEM NO. 23**

A. Government Code §54956.9(d)(2) – Anticipated Litigation

Significant Exposure to Litigation Four (4) Cases

B. Government Code §54957

Public Employee Discipline/Dismissal/Release

C. Government Code §54956.9(d)(1) - Existing Litigation (3 cases)

In re PG&E Corporation, U.S. Bankruptcy Court Case No. 19-30088-DM
SJTA, et al. v. State Water Resources Control Board
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.

Director Altieri left Closed Session at the hour of 1:00 p.m.

At the hour of 1:31 p.m. Director Santos recused herself and left the Board Meeting prior to the Board taking a vote on the case of Oakdale Irrigation District v. Linda Santos, et al; and at the hour of 1:34 p.m., Director Santos returned to the Board Meeting

At the hour of 1:36 p.m. the Board reconvened to open session.

Coming out of Closed Session President Orvis reported that by a vote of 4-0 the Board approved the filing of a Notice to Appear in the case of In re PG&E Corporation, U.S. Bankruptcy Court Case No. 19-30088-DM.

President Orvis also reported that by a vote of 3-0 the Board approved the filing of a dismissal of the case of Oakdale Irrigation District v. Linda Santos and Gail Altieri.

OTHER ACTION
ITEM NO. 3

At the hour of 1:38 p.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, June 4, 2019 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Joint Board Meeting of the **South San Joaquin and Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **Thursday, June 20, 2019 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Thomas D. Orvis, President

Attest:

Steve Knell, P.E., Secretary