

## **MINUTES**

Oakdale, California  
June 2, 2015

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: Steve Webb, President  
Herman Doornenbal, Vice President  
Frank Clark  
Gary Osmundson

Absent: Al Bairos, Jr.

Staff Present: Steve Knell, General Manager/Secretary  
Jason Jones, Support Services Manager  
Kathy Cook, Chief Financial Officer/Treasurer  
Eric Thorburn, Water Operations Manager

### **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. 2**

Steve Kistler was present and stated the he delivered a letter to the District requesting that he be included on the Water Committee agenda, but he was not on the agenda. Director Webb asked Mr. Kistler to attend the Water Committee today at 10:00 a.m.

Linda Santos, who resides at 15200 Tim Bell, Oakdale, was present and gave public comment regarding the General Manager Steve Knell's statement in the Modesto Bee that their group was myopic.

Bob Frobose, who resides at 4333 Claus Road, Modesto, was present and gave public comment on the annexation of Tier II lands and their impacts on existing OID lands.

There being no Public Comment; Public Comment closed at 9:12 a.m. and the Board Meeting continued.

**CONSENT ITEMS**  
**ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11**

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE REGULAR MEETING OF MAY 19, 2015 AND RESOLUTION NOS. 2015-39, 2015-40, 2015-41, 2015-42, 2015-43, 2015-44, 2015-45, and 2015-46**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of May 19, 2015 and Resolution Nos. 2015-39, 2015-40, 2015-41, 2015-42, 2015-43, 2015-44, 2015-45, and 2015-46.

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

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

**ITEM NO. 4**  
**APPROVE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS**

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

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Campbell Lateral	Rehabilitation of approx. 600' of levee embankment, and install 600' of barbed wire fencing.	\$25,500	2015-027
VAMP Pipeline	Install turnout in exchange for quitclaim And abandonment of the Weaver & Milnes Reclamation facilities.	\$29,200	2015-028

**ITEM NO. 5**  
**APPROVE REQUEST OF OAKDALE CHAMBER OF COMMERCE TO USE EIGHT PARKING SPACES IN THE DISTRICT'S PARKING LOT**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the request of the Oakdale Chamber of Commerce to use eight parking spaces in the District's parking lot.

**ITEM NO. 6**  
**APPROVE OFFICIAL ELECTION RESOLUTION AND**  
**BALLOT FOR SPECIAL DISTRICT RISK MANAGEMENT**  
**AUTHORITY'S (SDRMA) BOARD OF DIRECTOR'S ELECTION**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the Official Election Resolution and Ballot for Special District Risk Management Authority's (SDRMA) Board of Director's Election.

**ITEM NO. 7**  
**APPROVE BOARD ATTENDANCE AT THE 2015 CSDA ANNUAL**  
**CONFERENCE SEPTEMBER 21 – 24, 2015 IN MONTEREY, CALIFORNIA**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve Board attendance at the 2015 CSDA Annual Conference September 21-24, 2015 in Monterey, California.

**ITEM NO. 8**  
**APPROVE ABANDONMENT OF A PORTION OF**  
**THE ADAMS CREEK DRAIN (APNS: 064-052-055/056)**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the abandonment of a portion of the Adams Creek Drain (APNS: 064-052-055/056).

**ITEM NO. 9**  
**APPROVE QUITCLAIM OF THE ADAMS CREEK DRAIN (APNS: 064-052-055/056)**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the Quitclaim of the Adam Creek Drain (APNS: 064-052-055/056).

**ITEM NO. 10**  
**APPROVE REQUEST FOR RECONNECTION TO A**  
**SUBSTANDARD PARCEL SERVED BY THE DIXON PIPELINE**  
**(APN: 010-033-011 – JAMES A. MONTGOMERY AND AURORA C. MONTGOMERY)**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve the request for reconnection to a substandard parcel served by the Dixon Pipeline (APN: 010-033-011 – James A. Montgomery and Aurora C. Montgomery).

**ITEM NO. 11**  
**APPROVE WORK RELEASE NO. 013 TO GENERAL SERVICES**  
**AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR CUTTING,**  
**BENDING AND PLACEMENT OF REBAR FOR A CONTROL STRUCTURE**  
**AND DROP INLET STRUCTURE ON THE KEARNEY PIPELINE PROJECT**

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve Work Release No. 013 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for cutting, bending and placement of rebar for a control structure and drop inlet structure on the Kearney Pipeline Project.

**ACTION CALENDAR**  
**ITEM NOS. 12, 13**

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION TO RESCIND THE**  
**BOARD'S VOTE OF APRIL 21, 2015 SETTING THE 2015 WATER ALLOTMENT**

On April 21, 2015 (Board Meeting) the Board of Directors by the following vote adopted Resolution 2015-33 allocating up to 30 inches to Tier I Water Users and up to 10 inches to Tier II Water Users:

Director Webb	Yes
Director Doornenbal	Yes
Director Bairos	Yes
Director Clark	No

On May 5, 2015 (Board Meeting) a small group of concerned water users requested to be heard on the Board's previous April 21<sup>st</sup> decision regarding allocations to Tiered II water users. The Board scheduled a special Water Committee meeting on May 14, 2015 to hear their concerns (Webb and Doornenbal). At the meeting, the GM gave a presentation on what had changed from last year to this year and the importance of meeting the terms of the water agreement OID had with NMFS and the Bureau in meeting fish issues on the river. In addition the district's financial concerns were shared with those in attendance. The presentations did little to deter the negative position of the small group.

On May 19, 2015 (Board Meeting) there was nothing on the agenda to address this matter. The reason was the agenda for the Board meeting went out on the morning of the 19<sup>th</sup>, the day of the special Water Committee. However, the Board President advised the small group that this matter would be on the June 2, 2015 meeting for the whole Board to render a decision.

For the June 2, 2015 (Board Meeting) This matter is on the agenda for a vote to rescind the action taken on April 21, 2015 and to reopen that discussion.

*A vote to rescind is a very definitive process that has certain protocol requirements that need to be adhered to:*

## **THE PROCESS:**

1. The President requests a motion to rescind from the Directors.
  - a. This motion can only come from a Board member who voted in favor of the April 21<sup>st</sup> action of the Board. The motion to rescind can only come from Bairos, Doornenbal or Webb.
  - b. If no motion to rescind is made, the matter dies for lack of a motion.
2. A second to the motion is required.
  - a. This second can be made by any of the Board members.
  - b. If no second is made, the motion dies for lack of a second.
3. Debate on the motion to rescind can proceed by the Board.
  - a. The debate can only be on the merits for the motion to rescind.
4. The motion to rescind is not amendable.
5. When voted on, the motion will require a majority vote of the members present.
6. Applies to main motion previously adopted
  - a. In this case, the April 21, 2015 Board action and resolution

### **IF MOTION TO RESCIND – UNSUCCESSFUL**

No further action required.

### **IF MOTION TO RESCIND – SUCCESSFUL**

The Board picks up from where it left off on April 21, 2015.

In preparation of a successful passing of the motion to rescind staff has prepared the following responses to a number of the negative comments raised at the meeting of April 21, 2015. Those comments being;

1. Tiered II water users have no access to water if OID Tier I constituents do not get a full allocation.
2. Giving Tier II surface water makes the rest of OID pump groundwater making no net savings of water, as asserted by OID staff.

#### Response to 1:

Included with this agenda report for the Board and public review is a factual timeline of the events surrounding the Annexation of Tiered II water customer, Trinitas Partners, LLC. It is clear from the record, the signed contracts, etc. that the receipt of water by Tier II customers is a discretionary action of the Board. The Board has every right to make the decisions it has with regard to Tiered II water users receiving water. There were “no broken promises” just a lack of understanding on the part of some constituents with regard to the CEQA process.

Response to 2:

If the regional pumping premise is correct, which it is not, Staff's resource opinion is that it is far better to pump 1-inch from the total 60,000 acre OID irrigated service area than to pump 72,000 acre inches from beneath the 7,200 acres of the Tiered II lands. That drawdown impact to the aquifer could generate a substantial cone of depression affecting a significant area on both the north and south sides of OID's eastern service area. This is an area already troubled by shallow wells going dry. This is an area in which enhanced aquifer management strategies should be encourage whenever possible. To alleviate some of the aquifer pressure in that area, more surface water should be made available to Tiered II if possible, not less

This item died for lack of a motion.

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADJUST**  
**WATER ALLOTMENT BASED ON SEASONAL WATER USE TO DATE**

Of primary importance this water season is meeting the agreed to terms of the agreement between the US Bureau of Reclamation and the National Marine Fisheries Service. This agreement, approved by the State Water Board, contained the following elements;

- Federal agencies to meet springtime fishery "pulse flows."
- Agreement provides base flow needs for the fish available through April 2016.
- The irrigation districts will equally divide 450,000 acre-feet of water this year.
- End of Month Storage for September to be no less than 150,000 acre feet.
- The irrigation districts will consider additional conservation measures this season to ensure that the end point of 150,000 acre-feet in New Melones is met or exceeded.
- The foundation for the above agreement was that projected seasonal inflow of 280 TAF would occur into New Melones (Oct. 2014 thru Sept. 2015) (DWR projection).

To meet the district's commitment of "ensuring" that the 150 TAF endpoint was met and to show "good faith" on the part of OID and SSJID in honoring that committed, a minimum additional conservation effort of 10,000 acre feet from each district was agreed to.

Because of variability and uncertainty that is inherent in the water business, staff assumed a diversion water target supply of 210,000 acre feet. That target provides for the 10,000 acre feet to meet the state and federal commitment and a 5,000 acre foot buffer.

With that background, and weighing other numerous factors that diminish supply, operational losses (9% of supply), farm losses (21% of supply), groundwater losses (15% of supply), etc. staff recommended an initial allotment of 30-inches to start the water season.

Staff committed to the Board to review actual water use at the first meeting of each month during the water season to evaluate potential allocation adjustments to see if OID was “on target” with meeting its commitments.

At the May 5<sup>th</sup> meeting staff evaluated its progress and recommended that the 30-inch Tiered I allocation be increased 6-inches to 36-inches and that Tiered II customers have their allocation increased from 10-inches to 12-inches. That latter recommendation failed to pass for Tiered II.

Today, June 2<sup>nd</sup> Staff is comfortable that OID is on target to meet its state and federal target commitments as agreed to and has additional supplies available to increase the current 36-inch allocation to 40-inches for Tiered I water customers. Staff recommends leaving Tiered II customers unadjusted for the present time at 10-inches. This allocation will bring the projected water use of OID to 207,126 acre feet. OID’s established targeted diversion number is 210,000 acre feet.

Staff reviewed the preliminary information as well as updated information at the Board meeting to further clarify its’ position.

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to adjust the water allotment to Tier 1 water customers to 40-inches.

## **COMMUNICATIONS** **ITEM NO. 14**

### **A. GENERAL MANAGERS REPORT**

#### **Safety Activities**

1. OID has gone 118 days without a lost time injury accident.

#### **Administration Activities**

1. GM spoke to Oakdale Rotary Club on May 20<sup>th</sup>.
2. GM will be attending United States Committee on Irrigation and Drainage Conference in Reno to present a professional paper. Out of the office on June 3<sup>rd</sup> and 4<sup>th</sup>.
3. Discussing curtailment impacts on pre-1914 water rights with SJTA members. Strategizing on actions to take.
4. Delta water users submitted and received SWRCB approval on a voluntary cut back program to avoid impacts of curtailment notices. State Board approved that agreement.
5. Bureau of Reclamation conference call on May 29<sup>th</sup> to discuss potential operation plans and options for 2016 if inflow at 400 TAF, 600 TAF and 800 TAF.

#### **Construction Activities**

1. C&M crews and equipment operators are working on JSF’s generated by Water Dept. staff.
2. Assisting Water Ops/Eng. Dept. with various tasks and field review of potential projects.
3. Conducting Safety Coordinator tasks pertaining to all hands training, Safety Committee meetings and review of weekly tailgate safety meetings.

4. Conducting Contract Administration tasks pertaining to contracts that need to be renewed and work releases that need to be completed with the assistance of Lori.
5. The OID Pest. Dept. conducted Magnacide applications on the following OID facilities; South, Bricchetto, Paulsell, Campbell and West Thalheim Laterals over the course of the past two weeks.
6. Continue to off haul angular rock from the Roen rock pile to the Kaufmann/Greger property.
7. Met with local fire, police and public works on 5/20 to discuss Magnacide H pesticide and the process for handling, storage, application and emergency response. Total of 18 people attended.
8. The Fields Ranch/North Main Rehabilitation Project is anticipated to commence this week with the contractor mobilizing to the site.

### **Water Operations Activities**

#### **Engineering**

1. Land use Conversion – Continued to work with landowners, tenants, irrigation design companies and Support Services/Water Operations concerning ongoing and future land use conversion projects.
2. Processed multiple Encroachment and Ag Discharge Agreements and continued field inspection during installation of the associated facilities.
3. The Public comment period for the Fringe and Additional Annexations closed on May 31<sup>st</sup>. Staff will respond to comments and anticipates bringing back the Negative Declaration and associated CEQA findings for Board approval on June 16<sup>th</sup>.
4. Responded to and commented on several requests for information and proposed parcel splits and lot line adjustments.
5. Completed several RFWAs and cost estimates for capital improvement projects.

#### **Aq Water**

1. Continued to research and respond to miscellaneous irrigation and maintenance issues and inquiries.
2. Responded to and addressed misc. SCADA operation and control issues as they arose.
3. SCADA/IT staff continued to work with Water Operations personnel to make updates, modifications and corrections to the new STORM volumetric tracking and billing application data.
4. The initial DSO training period concluded for four new DSOs and the final vacant DSO position was filled by Richard Spetter whose first day on the job was June 1<sup>st</sup>.
5. Processing of Farmer to Farmer Transfer Program Application Agreements continued. A total of eleven have been requested and processed to date.
6. The fifth rotation (sixth of the 2014/15 water year) will be another 13 day rotation and started on or about May 30<sup>th</sup>. The sixth rotation will start on or about June 12<sup>th</sup> and is anticipated to be 12 days.

#### **Water Utilities**

1. Improvement District No. 41:
  - Pumping Station No. 3 remains out of service due to high turbidity issues.
2. Domestic Water Pumping Stations:
  - WUD continues to conduct weekly inspection, servicing and security checks of the pumping stations. There is nothing unusual or out of the ordinary to report.



3. Domestic Water Systems:
  - Started annual testing of backflow assemblies.
  - Continued to investigate water waster complaints.
  - On May 19<sup>th</sup> the Stanislaus County Board of Supervisors enacted an Emergency Drought Ordinance that limits the numbers of days and times that potable water can be used for residential outdoor irrigation. A copy of the new ordinance will be mailed out to all of OID's domestic water users.
4. On-Call Activities:
  - Nothing to Report.
6. Aquatic Pesticide Application Plan:
  - a. Post event water samples were collected at different points along the Claribel Lateral on Wednesday, May 20<sup>th</sup>.
7. Irrigation Pumping Stations:
  - WUD continues to perform routine inspection, servicing and security checks on all the irrigation pumping stations. There is nothing unusual or out of the ordinary to report other than the items listed below:
  - Valley Home Deep Well Pump's rebuilt flow meter was installed on May 19<sup>th</sup>.
  - Hirschfeld Deep Well Pump's flow meter has failed. It was pulled and sent in for repairs. The site remains operational.

## B. **COMMITTEE REPORTS**

### Finance Committee Meeting, Tuesday, May 19, 2015

- Purchase of Supervisor's Truck
- Rate Structure and Proposition 218
- Preparation for the 2016 Budget

Director Clark stated that the Finance Committee met and went over the budget. He stated that if the dry years continue and the District has no income either from hydro generation and/or from the sale of excess water there may be no other solution, but to go through the Proposition 218 process again and raise the water rates.

## C. **DIRECTORS' COMMENTS/SUGGESTIONS**

There were no Directors' comments/suggestions.

At the hour of 9:20 a.m. the meeting adjourned to Closed Session.

### **CLOSED SESSION** **ITEM NO. 15**

- A. **Government Code §54957.6 - Conference with Labor Negotiator**  
Agency Negotiator: General Manager  
Represented Employee: Receptionist/Clerk

At the hour of 9:45 a.m. the meeting returned to open session.

Coming out Closed Session, President Webb reported that by a vote of 4-0 the Board unanimously approved an increase of \$1.00 to the Receptionist/Clerk base rate of pay.

**OTHER ACTION**  
**ITEM NO. 16**

The meeting adjourned at the hour of 9:45 a.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, June 16, 2015 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Joint Board Meeting for the **Tri-Dam Project** is scheduled for **Thursday, June 18, 2015 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

\_\_\_\_\_  
Steve Webb, President

Attest:

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Steve Knell, P.E., Secretary