

appointment of a new Director to that District. Deanne Dalrymple read the allegations of the petition to the public.

Kenneth Frias was present and expressed his dissatisfaction with the recall petition.

There being no further public comment, public comment closed at 6:11 p.m.

Director Santos requested that Items 6 and 8 be pulled from the Consent Calendar.

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

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTORS'**  
**MINUTES OF THE REGULAR MEETING OF**  
**AUGUST 2, 2016 AND RESOLUTION NO. 2016-49**

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of August 2, 2016 and Resolution No. 2016-49.

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

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

**ITEM NO. 4**  
**APPROVE THE IMPROVEMENT**  
**DISTRICT STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**  
**APPROVE TREASURER AND CHIEF FINANCIAL**  
**OFFICER'S REPORT FOR THE MONTH ENDING JULY 31, 2016**

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to approve Treasurer and Chief Financial Officer's Report for the Month Ending July 31, 2016.

She stated that the resolutions should use the same language that is contained in that code section. Director Webb requested that this item be pulled and that staff get a legal opinion on this and bring it back to the Board for further discussion and action.

**ITEM NO. 8**  
**APPROVE AMENDMENT NO. 06 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-004 WITH DAMRELL, NESLON, SCHRIMP, PACHER & SILVA TO ADD ADDITIONAL STAFF**

Director Santos stated that she had a concern about Director Webb voting on this item. She also expressed a concern regarding the law firm representing the District as well as suing individual Directors in three separate lawsuits. Director Webb stated that the only action being requested in this item is to add an attorney to the Professional Services Contract.

Member of the public Robert Frobose commented on this item.

A motion was made by Director Osmundson, seconded by Director Santos, and unanimously supported to get clarity on this matter and bring it back to the next Board Meeting.

The motion passed 5-0 by the following vote:

|         |   |
|---------|---|
| Ayes:   | Directors, Webb, Doornenbal, Osmundson, Santos, Altieri |
| Noes:   | None  |
| Absent: | None  |

**ACTION CALENDAR**  
**ITEM NOS. 11, 12, 13**

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OAKDALE IRRIGATION DISTRICT AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$30,000,000 PRINCIPAL AMOUNT OF WATER REVENUE REFUNDING BONDS, SERIES 2016A, AUTHORIZING AND DIRECTING THE EXECUTION OF AN INDENTURE OF TRUST, ESCROW INSTRUCTIONS, A CONTINUING DISCLOSURE AGREEMENT AND A BOND PURCHASE AGREEMENT, AUTHORIZING THE SALE OF BONDS, APPROVING AN OFICIAL STATEMENT AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO**

A PowerPoint presentation was given by Michael Engelbrecht of Wells Fargo Securities.

At the direction of the Board, Staff and the financing team of Nossaman LLP (bond counsel), Sutter Securities (finance advisor), and Wells Fargo Securities (underwriter) moved forward on the potential refunding of the District's Series 2009 Certificates of Participation.

In considering the refunding of the bonds the District had two objectives:

Canal. The terms and conditions are outlined in the attached Agreement. Fields' Ranch will provide the borrow site and material for a contractor to complete the task of gaining back drivable access and sealing the areas that are seeping onto the noted parcels.

Through this Agreement, all borrow material will be provided by Fields' Ranch for the task outlined above and noted in the attached Agreement. This is a savings to the OID of approximately \$1,602,000 in trucking costs and \$170,000 in labor and equipment costs to load the borrow material from our existing site.

OID will install three (3) pipe crossings and Railcar Bridge footings at no cost to Fields' Ranch. OID will waive all associated fees with the installation of Fields' Ranch irrigation system during initial development for processing structure review applications and reimburse Fields' Ranch for deposits collected to date as noted in the attached Agreement.

Staff was available to answer any additional questions of the Board.

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the Agreement between Oakdale Irrigation District and Fields' Ranch for Maintenance of the North Main and authorize General Manager to execute the Agreement.

The above item passed 5-0 by the following vote:

|         |  |
|---------|--|
| Ayes:   | Directors Webb, Doornenbal, Osmundson, Santos, Altieri |
| Noes:   | None   |
| Absent: | None   |

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION ON STANISLAUS**  
**COUNTY BOARD OF SUPERVISORS' REQUEST TO PROVIDE**  
**FUNDING FOR THE PROPOSITION 1 GRANT PROGRAM**  
**ENVIRONMENTAL IMPACT REPORT FOR STANISLAUS COUNTY**

Attached to this agenda report is a July 18, 2016 letter from County of Stanislaus. They are seeking a level of funding from OID in partial support of their cost share requirement under a Proposition 1 Grant Fund they received for development of a PEIR to cover the County's well permitting program. The second attachment is an OID Board Agenda Report dated January 5, 2016 addressing staff's reservations and concerns regarding the County's request. At that time OID offered a letter of support but not any funding due to the concerns and issues at the time.

The most recent County letter is seeking an allocation of funding (see second page of letter) from each municipality, irrigation district, and some private sources to meet the \$167,500 funding level necessary to backfill the \$585,000 grant request. As you can see OID's share is \$16,558.

### **Safety Activities**

1. OID has gone 560 days without a lost time injury accident.

### **Administration Activities**

1. Continuing to work on legal matters pertaining to OID.
2. WaterFix (Twin Tunnel Hearings) on-going in Sacramento.
3. The release of the revised Water Quality Control Plan (Unimpaired Flow Standard) from the State Water Resources Control Board has been pushed back to September.
4. Settlement discussions on the Stanislaus River to avoid the WQCP are ongoing.
5. Continue to work with CFO and Finance Team on bond refinancing.
6. Next OE3 labor negotiation meeting scheduled for the 16<sup>th</sup> of this month.
7. Met with Bryan Whitemyer, City Manager of Oakdale on “common ground” issues between the City of Oakdale and OID. Putting a list of items for review and discussion at the next ad hoc Committee meeting.
8. Met with TSM, OID’s health insurance provider, on plan renewals for the upcoming year. The ACA is changing insurance paradigms and costs.
9. The August SJTA Commission meeting has been moved to September. Date to be determined.

### **Legal Activities**

1. Agee vs OID: Plaintiffs (Agee) lost in Superior Court. OID has filed a suit to recoup its attorney’s fees. Waiting for hearing date to be set by the court.
2. OID is involved in a test claims case against the State of California’s issuance of unfunded mandates, i.e. SBx7-7. The group is evaluating next steps after having a negative ruling by the court. Working with CSDA on next steps.
3. OID/SSJID vs the State Water Resources Control Board; this case is over the legal ability of the SWRCB to issue curtailment orders over senior water right holders, as was done in 2015. Awaiting court date.
4. OGA/Brichetto/Frobose vs. OID:
  - a) A Motion to Produce Documents was heard on August 9<sup>th</sup>. Judge told Plaintiffs to produce the records, OID has provided you all it has.
  - b) A Motion to Dissolve the Preliminary Injunction by OID was denied on August 9<sup>th</sup> however the judge did set a bond amount of \$10,000 on Plaintiffs. The Preliminary Injunction is not in affect unless and until the bond is posted.
  - c) A Demurrer Hearing by OID was denied on August 9<sup>th</sup> and hence OID will prepare for trial, which is set for early November.
  - d) A Mandatory Settlement Conference is set for August 15<sup>th</sup>.
5. OID vs Directors Santos and Altieri.
  - a. A Preliminary Injunction hearing is set for September 21<sup>st</sup>.

### **Construction Activities**

1. C&M crews and equipment are currently working on maintenance activities and JSF’s completed by Water Dept. staff.
2. Assisting Water Ops/Eng. Dept. with various tasks and field review of potential projects.

documents and cost estimate. The oak tree field assessment at both portals was completed and piezometer readings were collected over the last two weeks as part of this effort.

### **Ag Water**

1. Staff continued working on the radio communications and SCADA integration of all sites associated with the new SCADA tower.
2. The second round of volumetric water delivery tracking closed on July 31<sup>st</sup>.
3. Still no announcements of grant application awards which include OID's application for the TCC Expansion Project have been made.
4. A Water Operations and SCADA staff conference call was held with Rubicon staff to review the new "Relief Mode" implementation as well as historic TCC operations and trends.
5. The eleventh rotation started on or about August 7<sup>th</sup>. This is a 12-day rotation and is anticipated to be followed by a 13-day rotation starting on or about August 31<sup>st</sup>.

### **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:
  - Monthly Coliform Bacteria samples were taken on Monday August 1<sup>st</sup>. No problems were detected.
  - All Domestic Water Pumping Stations that are in service are operational.
3. Domestic Water Systems:
  - All water systems are operating without restrictions.
  - Performed quarterly blow-off valve exercising.
  - WUD has continued to test all backflow devices in accordance with our Cross Connection Control Policy.
  - Conducted inspections of all well head seals and continuing to replace them as needed.
4. On-Call Activities:
  - There are no call outs to report.
6. Knights Ferry Pumping Station:
  - The Knights Ferry Pumps have been de-activated. The KF Water Treatment Plant is back on surface water.
7. Irrigation Pumping Stations:
  - All of OID Ag pumps are operational.
  - WUD has been performing weekly routine inspection, servicing and security checks on the irrigation pumping stations. There was nothing unusual or out of the ordinary to report.

### **Finance Activities**

1. Met with TSM Insurance Brokers regarding the December 1, 2016 renewal of OID's health insurance.
2. GM & CFO, along with the COP refunding team, conducted a conference call with Standard and Poor's for a rating on a potential refunding of OID's 2009 COPS. Reviewed and made revisions to refunding documents.

*Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.*

*Oakdale Groundwater Alliance; Frobose; Brichetto, et al. v. Oakdale Irrigation District, et al.*

At the hour of 8:53 p.m. the meeting returned to open session.

Coming out of Closed Session, Director Webb stated that there was no reportable action.

**OTHER ACTION**  
**ITEM NO. 17**

The meeting was adjourned at the hour of 8:53 p.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, September 6, 2016 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, August 18, 2016 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

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Steve Webb, President

Attest:

\_\_\_\_\_  
Steve Knell, P.E., Secretary