

MINUTES

Oakdale, California
July 19, 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
Louis Brichetto
Tony Taro
Steve Webb
Jack D. Alpers

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

Also Present: Michael Ijams, General Counsel
Katherine Boyd, General Counsel

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 Webb, and unanimously supported to remove Item Nos. 2 and 6 from the Consent Calendar.

CONSENT ITEMS ITEMS 1, 3, 4, and 5

ITEM NO. 1 APPROVE THE BOARD OF DIRECTOR'S MINUTES OF THE REGULAR MEETING OF JULY 5, 2005

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 July 5, 2005.

ITEM NO. 3
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 Statement of Obligations.

ITEM NO. 4
APPROVE TREASURER AND CHIEF FINANCIAL
OFFICER'S REPORT FOR THE MONTH ENDING JUNE 30, 2005

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the Month Ending June 30, 2005.

ITEM NO. 5
APPROVE RESOLUTIONS AND CONTRACTS WITH
STANISLAUS AND SAN JOAQUIN COUNTIES FOR PLACEMENT
OF DELINQUENT FIXED CHARGES ON THE 2005/2006 TAX ROLLS

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve Resolutions and Contracts with Stanislaus and San Joaquin Counties for Placement of Delinquent Fixed Charges on the 2005/2006 Tax Rolls.

ACTION ITEMS
ITEM NOS. 2 and 6

ITEM NO. 2
APPROVE OAKDALE IRRIGATION DISTRICT
STATEMENT OF OBLIGATIONS

Director Brichetto had a question concerning the workers' compensation insurance policy. Thereafter, a motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Oakdale Irrigation District Statement of Obligations.

ITEM NO. 6
APPROVE NOTICE OF COMPLETION FOR THE CLARIBEL
LATERAL REHABILITATION PROJECT (GRANITE CONSTRUCTION)

Director Brichetto had a question on the total cost on the Claribel Lateral Rehabilitation Project to date. Thereafter, a motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Notice of Completion for the Claribel Lateral Rehabilitation Project (Granite Construction).

COMMUNICATIONS
ITEM NO. 7

General Manager's Report on Status of OID Activities

General Manager, Steve Knell, reported the following to the Board:

The Water Operations Summary for June indicates that we were 22% under our normal water budget amount for the month.

He is going to place on the next Board Agenda for the Board's review and consideration a discussion item regarding the joint cooperative memorandum between Merced and Modesto to see if OID has any interest in having a greater lobbying role in Sacramento.

He met with Sue Schaffer of Centex Homes who is doing the next large development south of the Bridal Ridge area called the Twin Lakes Development Project which will have a lake enhancement. She was interested in the District's perspective on this project. This matter will be brought before the Board for discussion at a later date.

A. COMMITTEE REPORTS

Director Clark stated that the Domestic Water Committee was to have met on Monday, July 8, 2005 with the City of Oakdale to discuss the future use of surface water by the city for domestic water purposes which was cancelled. This meeting will be re-scheduled for a future date.

B. DIRECTORS' COMMENTS/SUGGESTIONS

Director Clark

None.

Director Alpers

Director Alpers stated that he had four things to comment on. One concerned the issue of polyester shirts the DSOs were wearing and whether there was anyway for them to get cotton shirts. He stated that it is just a point, it is a staff decision, and he just observed it. Second, he wanted to thank whoever was responsible for the cell phone signs on the Board Room doors. Third he stated that we used to have photographs of all of our employees on the wall with their names, their positions, and he would like to go back to that. He stated that if we could arrange for that it would sure be nice. His fourth subject was the fact that the community of Oakdale has been pretty self-reliant; we have our own police departments, rural fire, city fire, we have our own hospital, and that has been the Oakdale philosophy for a long time. At the last Tri-Dam meeting, he thought that we were sold out when three of the directors voted to let South San Joaquin have the control of our funds. He was very disappointed and he hoped this type of behavior of "suck it up" so to speak with South San Joaquin discontinues. He saw no reason for South San Joaquin to have a vote on when our money and our share of the profits comes to this District. We have \$6 million dollars up there and we have to get them to let us have our money back.

Director Alpers stated that we had an opportunity and let it go. He stated that he was really disappointed, but we will live by it.

Steve Webb

Director Webb wondered if we were able to respond with irrigation water with the hot weather. He also commented on the fact that he thought the River Group had a lobbyist group in Sacramento. His third comment was that we needed to find out whether or not we can bring water out of Woodward Reservoir into the Cometa. He stated that it might be a good idea to have that looked at again and have it re-dredged and opened up. If the Upper Cometa ever broke we could get water out of the reservoir until we could fix it and that might help save some crops. Lastly, he stated that he concurred with the outlook of Director Alpers. He stated that he has sat here for years and had to beg and negotiate money down from Tri-Dam and he thinks it is getting a little old. It is half our money and all of the funds sit there to make sure that everything is taken care of. There is \$25 million dollars left up there in case there is an emergency and he doesn't see any reason why it could not have been automatically set in place that when the funds got full then that excess went 50% to Oakdale and 50% to South San Joaquin without having to vote on everything.

Director Brichetto

Director Brichetto stated that he thinks that off stream storage is an important issue. He stated that he has brought it up previously for post season delivery or whatever you need it for. He also would like to put on the agenda the Rural Subdivision Policy. He knows we told those people in Valley Home that we were going to bring it back and that has been sometime ago. He also stated that he would like to see the Silveira Agreement put together. It has been probably six weeks more or less and he would like that placed on the action calendar. He also would like to see some maintenance options for the Stewart Pond and place that on the action calendar as well.

Director Taro

Director Taro stated that he feels that most of the points have been covered. He stated that he had the pleasure of attending the Water Treatment Plant dedication and he can recall in years past a lot of people said that it would never happen. They overcame a lot of obstacles and they had to do a lot of site work to get it, but it is up and running and the people in Tracy are now receiving Stanislaus River water. They had a nice dedication there.

At the hour of 9:22 a.m. the Board welcomed public comment. Director Clark stated that there would be another opportunity for public comment after Closed Session.

PUBLIC COMMENT
ITEM NO. 9

Dennis Edge commented on the policy that the Directors were not to speak to district employees. He further commented on the vote that took place at the Tri-Dam Meeting on July 13, 2005.

Henry Burtschi commented on Tri-Dam bringing the money down and the fact that it has been a fight for the last several years. He further commented on the Stewart Pond.

Loren Foard had a question concerning the rehabilitation of the South Main Tunnel. He also commented that from his own observation he was wondering why it takes so much attorney's time to keep the District on the straight and narrow path.

Public Comment was closed at 9:38 a.m. and the Board Meeting continued

At the hour of 9:39 a.m. a motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to move to Closed Session.

CLOSED SESSION
ITEM NO. 8

Closed Session to discuss the following:

- A. Government Code §54956.9 Existing Litigation**
Steve Fields case
- B. Government Code §54956.9 Conference with Legal Counsel**
Potential Litigation - (1) Case

At the hour of 10:41 a.m., a motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to move to Open Session.

It was reported that no action was taken in closed session.

At the hour of 10:43 a.m. the Board re-opened public comment.

Roger Beymer stated that he had the opportunity to attend the open house of South San Joaquin's Water Treatment Plant and he would like to have seen a better representation by the District.

OTHER ACTION
ITEM NO. 10

At the hour of 10:50 a.m. a motion was made by Director Webb, and seconded by Director Brichetto, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, August 2, 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, August 18, 2005 at 9:00 A.M.** in the Board Room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Frank B. Clark, President

Attest:

Steve Knell, P.E., Secretary