

## MINUTES

Oakdale, California  
May 16, 2022

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 Brad DeBoer, Vice President Herman Doornenbal Linda Santos Ed Tobias
Staff Present:	Steve Knell, General Manager/Secretary Sharon Cisneros, Chief Financial Officer Eric Thorburn, Water Operations Manager/District Engineer
Also Present:	Fred Silva, General Counsel Tim O'Laughlin, Water Counsel

### **ADDITION OR DELETION OF AGENDA ITEMS**

General Manager, Steve Knell requested to add an item to Closed Session, Government Code §54956.9(b) Exposure to Litigation. The addition is necessary to address a legal concern that arose after the printing of the Agenda for Agenda Item 13.

A motion was made by Director DeBoer, and seconded by Director Doornenbal to add Government Code §54956.9(b) exposure to litigation to closed session, and to take Action Item No. 13 out of sequence to be voted on following closed session:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

### **FIRST ITEM OF BUSINESS ITEM NO. 1**

#### **ITEM NO. 1**

**REVIEW AND TAKE POSSIBLE ACTION FOR ADOPTION OF RESOLUTION OF THE BOARD OF DIRECTORS OF THE OAKDALE IRRIGATION DISTRICT (OID) PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-29-20 ISSUED ON MARCH 4, 2020, AND EXECUTIVE ORDER N-08-21 ON JUNE 11, 2021, WHICH AUTHORIZES REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF OAKDALE IRRIGATION DISTRICT FOR THE PERIOD MAY 16, 2022 THROUGH JUNE 15, 2022 PURSUANT TO BROWN ACT PROVISIONS**

A motion was made by Director DeBoer, and seconded by Director Doornenbal, to adopt resolution of the Board of Directors of the Oakdale Irrigation District (OID) proclaiming a local emergency, ratifying the proclamation of a state of emergency by executive order N-29-20 issued on March 4, 2020, and executive order N-08-21 on June 11, 2021, which authorizes remote teleconference meetings of the legislative bodies of Oakdale Irrigation District for the period May 16, 2022 through June 15, 2022 pursuant to Brown Act Provisions, and was voted by the following roll call vote:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	No
Director DeBoer	No

The motion passed by a 3-2 vote.

At the hour of 9:06 a.m. the Board welcomed public comment.

**PUBLIC COMMENT**  
**ITEM NO. 2**

There was no public comment.

There being no further Public Comment; Public Comment closed at 9:07 a.m. and the Board Meeting continued.

Director Linda Santos requested that Consent Item No. 8 – 12 be pulled from the Agenda.

**CONSENT ITEMS**  
**ITEM NOS. 3 - 7**

**ITEM NO. 3**

**APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE MEETING OF APRIL 5, 2022, AND  
RESOLUTION NOS. 2022-07, 2022-08 AND 2022-09**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the Board of Directors' Minutes of the Meeting of April 5, 2022, and Resolution Nos. 2022-07, 2022-08 and 2022-09.

**ITEM NO. 4**  
**APPROVE OAKDALE IRRIGATION DISTRICT  
STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**  
**APPROVE OAKDALE IRRIGATION DISTRICT  
IMPROVEMENT DISTRICTS' STATEMENT OF OBLIGATIONS**

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



**ITEM NO. 6**

**APPROVE THE TREASURER'S REPORT AND FINANCIAL STATEMENTS FOR THE THREE MONTHS ENDING MARCH 31, 2022**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the Treasurer's report and financial statements for the three months ending March 31, 2022.

**ITEM NO. 7**

**APPROVE REJECTION OF CLAIM SUBMITTED BY JONATHAN NEIL & ASSOC**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve rejection of claim submitted by Jonathan Neil & Assoc. and forward to ACWA JPIA for further action.

**PULLED CONSENT ITEMS**

**ITEM NOS. 8 – 12**

Director Santos made a motion to postpone Consent Items No. 8 – 12 until the incoming General Manager can have consideration of the items. The motion failed with no second.

**ITEM NO. 8**

**APPROVE AMENDMENT NO 9 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-016 WITH PARIS KINCAID & WASIEWSKI, LLP (FORMERLY NAMED O'LAUGHLIN & PARIS, LLP) FOR REVISED HOURLY RATE SCHEDULE AND AUTHORIZE GENERAL MANAGER TO EXECUTE**

A motion was made by Director DeBoer, and seconded by Director Tobias, to authorize the General Manager to execute professional services agreement 2009-PSA-016 with Paris Kincaid & Wasiewski (formerly named O'Laughlin & Paris, LLP) for revised hourly rate and authorize General Manager to execute:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	No
Director DeBoer	Yes

The motion passed by a 4-1 vote.

**ITEM NO. 9**

**APPROVE THE QUITCLAIM OF A PORTION OF A KEARNEY LATERAL EASEMENT (APNS: 015-014-034/036/039 – GARRETT, MASCARENHAS, BARIOS)**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the quitclaim of a portion of a Kearney Lateral easement (APNS: 015-014-034/036/039-Garrett, Mascarenhas, Barios).

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes

Director DeBoer                      Yes

The motion passed by a 5-0 vote.

**ITEM NO. 10**

**APPROVE THE QUITCLAIM OF THE RIGHT-OF-WAY RESERVED WITHIN MISCELLANEOUS RECORD RECORDED IN VOLUME 14 OF OFFICIAL RECORDS, AT PAGE 44, IN THE OFFICE OF STANISLAUS COUNTY (APNS: 075-005-013/025 – GONZALEZ)**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the quitclaim of the right-of-way reserved within miscellaneous record recorded in volume 14 of official records, at page 44, in the office of Stanislaus County (APN's: 075-005-013/025-Gonzalez).

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

**ITEM NO. 11**

**APPROVE THE QUITCLAIM OF A PORTION OF THE RANEY PIPELINE SECONDARY EASEMENT AND THE STOVALL PIPELINE EASEMENT (APNS: 062-022-017/020/027, 062-037-011/012/013/014/015/016/017/018/019/020/021/022/023 OZBIRN FAMILY 1993 TRUST, MCROY-WILBUR COMMUNITIES, LLC, AND EMMANUEL RIOS ROMERO)**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the quitclaim of a portion of the Raney Pipeline secondary easement and the Stovall Pipeline easement.

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

**ITEM NO. 12**

**APPROVE THE ABANDONMENT OF A PORTION OF THE RANEY AND STOVALL PIPELINES AND FORMALLY ADOPT THE NEW ALIGNMENT OF OID'S RANEY PIPELINE AS A DISTRICT FACILITY (APNS: 062-022-017/020/027, 062-037-011/012/013/014/015/016/017/018/019/020/021/022/023 OZBIRN FAMILY 1993 TRUST, MCROY-WILBUR COMMUNITIES, INC., AND EMMANUEL RIOS ROMERO)**

A motion was made by Director Santos, and seconded by Director Doornenbal and was unanimously supported, to approve the abandonment of a portion of the Raney and Stovall Pipelines and formally adopt the new alignment of OID's Raney Pipeline as a District facility.

Director Tobias                      Yes



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

The motion passed by a 5-0 vote.

**ACTION CALENDAR**  
**ITEM NOS. 14 - 16**

**ITEM NO 14**

**REVIEW AND TAKE POSSIBLE ACTION TO DIRECT STAFF TO MEET WITH AND DISCUSS  
THE LEVEL OF INFORMATION SOUGHT IN LETTER OF REQUEST DATED MARCH 15, 2022  
FROM NON-DISTRICT EAST LANDOWNERS IN THE MODESTO SUBBASIN**

A motion was made by Director Santos, and seconded by Director Tobias, to direct staff to meet with Non-District East landowners in the Modesto Subbasin regarding water use interest:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

**ITEM NO 15**

**REVIEW AND TAKE POSSIBLE ACTION TO APPOINT SHARON CISNEROS AS INTERIM  
GENERAL MANAGER AND INTERIM BOARD SECRETARY**

A motion was made by Director Santos, and seconded by Director Doornenbal, to appoint Sharon Cisneros as Interim General Manager from May 19, 2022 to May 31, 2022 and Interim Board Secretary from May 19, 2022 to June 6, 2022:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

**ITEM NO. 16**

**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION COMMENDING  
STEVEN R. KNELL IN APPRECIATION OF TWENTY YEARS OF SERVICE AS GENERAL  
MANAGER FOR THE OAKDALE IRRIGATION DISTRICT**

A motion was made by Director Doornenbal, and seconded by Director DeBoer, to adopt a resolution commending Steven R. Knell in appreciation of twenty years of service as General Manager for the Oakdale Irrigation District:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Abstain
Director DeBoer	Yes

The motion passed by a 4-0-1 vote.

## **COMMUNICATIONS**

### **ITEM NO.17**

#### **A. SUMMARY OF DIRECTORS COMMENTS**

##### **Director Santos**

Director Santos indicated that OID has many challenges to face, and that the staff is outstanding and does what is best for the members of OID and their neighbors, therefore believes OID is ready for the challenges. She ended by wishing Steve Knell, General Manager well in his retirement.

##### **Director Tobias**

Director Tobias thanked Mr. Knell for a wonderful job at OID and positioning the District extremely well. He ended by stating he was very honored to be here and thanked Steve Knell.

##### **Director Doornenbal**

Director Doornenbal congratulated Mr. Knell on his retirement. He expanded by stating Mr. Knell was the most progressive General Manager that OID has ever seen; and the proof is in the direction he has led the District. Adding that Mr. Knell found ways to fund the District without raising taxes, and now the District and the infrastructures are in better shape than ever. He closed by stating OID is very fortunate to have had Mr. Knell as a General Manager and thanked him, and stated it has been an honor to be on the Board as one of his Directors.

##### **Director DeBoer**

Director DeBoer stated it is a bittersweet time for the District. He agreed with other Director comments and stated that Mr. Knell is a major mover of the district. He expanded by stating, Mr. Knell is a humble man and always credits past and present Boards for the success of the District. Director DeBoer stated that Mr. Knell has kept the District pointed in the correct direction, and his legacy is so evident as the District is financially sound, progressive, and has great employees. Director DeBoer ended by acknowledging his respect and appreciation for Mr. Knell's years of service.

##### **Director Orvis**

Director Orvis thanked all employees of the District. He stated that Mr. Knell has left the District in better shape than he has found it. He accredited the financial stability and the great staff to the excellent leadership of Mr. Knell. Director Orvis pointed out that Mr. Knell steered the District with the Water Resources Plan that he implemented. He came up with an idea, and executed the plan, and now the District is where it is today.

#### **B. COMMITTEE REPORTS**

There were no committee reports.

#### **C. GENERAL MANAGERS REPORT**



General Manager, Steve Knell, discussed the information that was provided in the Board Packet. Mr. Knell stated that he has had the privilege of working with great people and a great organization, and thanked everyone. He stated, while he may be able to lead people, it is the staff that gets things done and keeps this District running.

**D. WATER COUNCIL REPORT**

There was no Water Council report.

At 10:02 a.m., President Orvis read the items to be discussed in Closed Session and opened for Public Comment on these items.

There was no public comment.

At the hour of 10:02 a.m. Public Comment closed, the Board took a recess and reconvened to Closed Session at 10:18.

**CLOSED SESSION**  
**ITEM NO. 18**

**A. Government Code §54956.8 – Conference Real Property Negotiator**

Negotiating Parties:	South San Joaquin Irrigation District, Tuolumne River Agencies, Non-District East Lands
Property:	Water
Agency Negotiators:	General Manager and Water Counsel
Under Negotiations:	Terms

**B. Government Code §54956.9(d)(1) – Existing Litigation**

SJTA, et al. v. State Water Resources Control Board  
Judicial Council Coordination Proceeding 5013

**C. Government Code §54956.9(d)(1) – Existing Litigation**

Maria Ruiz Perez, et al., v. Oakdale Irrigation District, et al.  
Case No. CV-19-004901

**ADDED CLOSED SESSION ITEM**

**D. Government Code §54956.9(b) – Exposure to Litigation**

At the hour of 12:05 p.m. the Board reconvened to Open Session.

**PULLED ACTION ITEM**

**ITEM NO. 13**

**REVIEW AND TAKE POSSIBLE ACTION TO AWARD BID TO ROLAND CONSTRUCTION, INC.**  
**AS THE LOWEST QUALIFIED BIDDER FOR METAL BUILDING BID PACKAGE 2.1, AMEND**  
**THE 2022 CAPITAL BUDGET, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE**  
**ASSOCIATED CHANGE ORDERS**

A motion was made by Director Santos, and seconded by Director DeBoer, to award the Metal Building Bid Package 2.1/Greger Facility to Roland Construction, Inc. for their Bid 1, amend and increase the 2022 capital budget by \$1.5M, and authorize the General Manager to execute associated change orders:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

President Orvis stated the following reportable actions coming out of Closed Session:

**ITEM NO 18A**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT RESOLUTION TO LEAVE THE SAN**  
**JOAQUIN TRIBUTARIES AUTHORITY AND SEND PROPER NOTICE TO THE SJTA**  
**IMMEDIATLY**

A motion was made by Director Doornenbal, and seconded by Director Santos, to adopt resolution to leave the San Joaquin Tributaries Authority and send proper notice to the SJTA immediately:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

The motion passed by a 5-0 vote.

**ITEM NO 18B**  
**REVIEW AND TAKE POSSIBLE ACTION FOR CESSATION OF REPRESENTATION BY PKW**  
**LLP FOR MATTERS RELATING TO SGMA**

A motion was made by Director Tobias, and seconded by Director DeBoer, for cessation of representation by PKW LLP for matters relating to SGMA:

Director Tobias	Yes
Director Doornenbal	Yes
Director Orvis	Yes
Director Santos	Yes
Director DeBoer	Yes

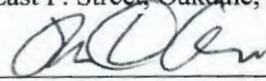
The motion passed by a 5-0 vote.

**OTHER ACTION**  
**ITEM NO. 19**

At the hour of 12:10 p.m. the meeting was adjourned. The next Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, June 7, 2022 at 9:00 a.m.** Details can be obtained by calling (209) 847-0341.

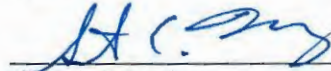


The next Joint Board Meeting of the South San Joaquin and Oakdale Irrigation Districts serving the Tri-Dam Projects and Tri-Dam Authority and other joint business matters is scheduled for **Thursday, May 19, 2022 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F. Street, Oakdale, CA.



Thomas D. Orvis, President  
Board of Directors

Attest:



Scot A. Moody  
General Manager/Secretary