

MINUTES

Oakdale, California
May 4, 2004

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
Jack D. Alpers
Louis Brichetto
Tony Taro

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

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 actions to take various items out of sequence. Director Brichetto requested that Item No. 4 be heard as an action item.

CONSENT ITEMS ITEMS NO. 1, 2, 3, 5

ITEM NO. 1 APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE REGULAR MEETING OF APRIL 20, 2004

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve the Board of Directors' Minutes of the regular meeting of April 20, 2004.

ITEM NO. 2
APPROVE OAKDALE IRRIGATION DISTRICT
STATEMENT OF OBLIGATIONS

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

ITEM NO. 3
APPROVE TWO-WAY RADIO REPLACEMENTS FOR VEHICLES

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve two-way radio replacements for vehicles.

ITEM NO. 5
APPROVE TWO NEW WATER CONNECTIONS FOR
CARLA VERBURG

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve two new water connections for Carla Verburg.

ACTION ITEMS
ITEMS NO. 4, 6, 7, 8

ITEM NO. 4
APPROVE A RESOLUTION AUTHORIZING THE
DISPOSAL OF PROPERTY NO LONGER NECESSARY
FOR DISTRICT PURPOSES

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve a resolution authorizing the disposal of property no longer necessary for District purposes.

ITEM NO. 6
REVIEW AND TAKE POSSIBLE ACTION TO
EXTEND THE AREA OF COVERAGE ON THE
GROUNDWATER MANAGEMENT PLAN

Senate Bill 1398, the Groundwater Management Planning Act of 2002, authorizes local agencies to update their groundwater management plans with some specific requirements. The law states the local agency's groundwater management plan must comply with AB 3030 and SB 1398 requirements in order for an agency to be eligible for the award of funds by the Department of Water Resources (DWR) for the construction of groundwater storage or groundwater quality projects.

The long term vision of OID is to be in a position to apply for and acquire funds to insure the long term protection of our regions groundwater resources. However, a catch in the law has come up which needs to be addressed. Groundwater basins are delineated by the State of California using river system boundaries. From this definition OID has lands in two groundwater basins; one being defined between the Tuolumne and Stanislaus Rivers and the other being defined as between the Stanislaus and Calaveras Rivers.

Currently, OID and 4 other agencies are consolidating their individual Groundwater Management Plans into a Regional Groundwater Management Plan to be compliant with AB 1398. The basin coverage for this planning effort is only for the Stanislaus/Tuolumne Basin. Should OID wish coverage for the north side of the Stanislaus River additional costs will be necessary.

Bookman-Edmonston is the consultant selected by the 5 agencies to build the Regional Groundwater Management Plan and they have provided a cost to expand the planning effort to provide coverage to the north side of the Stanislaus River.

Staff recommended that the Board approve the added expenditures to provide full coverage for all of OID's service area.

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve the extending of the area of coverage for the Groundwater Management Plan.

ITEM NO. 7
REVIEW AND TAKE POSSIBLE ACTION ON
AWARDING OF A CONTRACT TO
CORRECT ELECTRICAL CODE DEFICIENCIES IN
OID BUILDINGS

The City Fire Marshall and City Inspector, at the request of OID safety staff, completed an OID facilities inspection and found items needing correction in order to be code compliant. Electrical code compliance repairs for the office, truck shed, welding and auto shop, warehouse and yard were needed and quotes were requested of three (3) vendors. Industrial Electric, Acme Electric and Best Electric submitted bids, with Industrial Electric providing the lowest bid.

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve the awarding of a contract to correct electrical code deficiencies in OID buildings.

ITEM NO. 8
REVIEW AND TAKE POSSIBLE ACTION ON A
REQUEST BY DIRECTOR BRICHETTO TO
REMOVE THE MORATORIUM ON ANNEXATION

This topic has been discussed many times previously. At the December 16, 2003 meeting the Board voted not to lift the moratorium. Director Brichetto requested this again be brought to the Board for consideration under terms he intended to explain to the Board.

Director Clark stated that he and the General Manager had researched this moratorium issue. He stated that although previous Minutes reflect that there was a consensus there is no evidence of any vote or resolution to that fact.

Director Brichetto stated that he would like to see the moratorium removed, if there is one, so that the board can review annexation of new lands to the district on a one-by-one basis. If water is available then they should be allowed to annex. Director Brichetto further stated that he was in favor of lowering the annexation fees.

Director Clark stated that the bottom line is that OID has not demonstrated that on a long-term basis the water is available. Any water left at the end of the season is sporadic and it is never a sure thing. Once an annexation is approved and completed OID must provide water. With exception of those occasional years that there is surplus water, the only place it can come from is our present customers. If OID completes an annexation and if there is no extra water that water that is promised is going to be taken from the existing farmers. Director Clark further stated that he was opposed to lowering the annexation fees.

Director Alpers stated that directors are elected by their constituents to represent them and not the out-of-district property owners. If an annexation takes place it will increase the land value of those annexing and at the same time OID would be making a permanent water transfer. This is a sale of our supply of water which cannot be taken back ever.

General Manager Steve Knell reminded the Board of an article that Water Counsel Tim O'Laughlin had forwarded regarding a city that was annexing and expanding their city's sphere of influence without a planning document and they ran out of water. They stopped annexing and developers are now suing them because they say they are being treated differently and are demanding the city annex them without the water available. They are also demanding that the city find the water to service them.

Director Taro stated that he did not want people to get the idea that he wanted to short their water supply but he was in favor of annexation if the water is available.

Mr. Dennis Edge commented that he heard a lot of things here today, but didn't hear why OID is not annexing.

Director Alpers stated that for every acre that comes out of irrigation it goes into houses which are furnished domestic water and they use 1.2 times as much water for subdivisions

as is used for agriculture. If you follow the trends that have been talked about OID has to plan for supplying domestic water in the future.

Mr. Henry Burtschi commented that OID needs to figure out what is going out of the district to Modesto Irrigation District and South San Joaquin Irrigation District and start charging them for it. He further stated that he recalled that there was a moratorium on annexation.

Mr. Ken Krause stated that figures can lie and liars can figure, but a year and a half ago Mr. Zwald came to a meeting and stated that he has been waiting for annexation for over 23 years. It has been over 23 years and annexation gets talked about and gets passed from one meeting to the next. The Board needs to look at this and come to some kind of conclusion.

Mr. Laurens Foard stated that he was in favor of annexation and discussed the fact that people are the main reason for land values.

Mr. Grover Francis stated that annexation makes the district stronger and it brings unity to the sphere of influence of the district.

Director Brichetto stated that Merced Irrigation District annexed an additional 10,000 acre feet and they have commented that it has boosted their economy. He stated that the former watermaster at OID told him that either the district uses all their water or they lose it.

A motion was made by Director Brichetto, seconded by Director Taro and unanimously supported to remove the moratorium, if in fact there was a moratorium on annexations, and that the Board shall review each annexation application individually and determine if there is water available for any such annexation.

PUBLIC COMMENTS

Mr. Grover Francis commented regarding the moss problem and suggested that OID contact MID to see what they were doing. General Manager Steve Knell responded by stating that OID met with MID last week and stated that they are also experiencing problems with moss. In their upper system where there is very cold water the moss growth has been inhibited, but as the water moves to the west and warms up it becomes more of a problem.

Mr. Laurens Foard questioned whether OID crews have the authority to make deals with property owners in the district.

DISCUSSION ITEMS

ITEM NO. 9

REVISIT THE BOARD'S DISCUSSION OF JANUARY 20, 2004 REGARDING THE ESTABLISHMENT OF A PROGRAM FOR ON-FARM WATER CONSERVATION AND RECLAMATION PROJECTS FOR COMPLIANCE WITH THE CONDITIONAL AG WAIVER REQUIREMENTS

Director Brichetto stated that with the new level of staffing at OID that the district should look at starting workshops on such issues as waiver concerns. He further stated that dollars could be better spent on-farm.

Director Taro commented on the questionnaire that was recently mailed and stated that he would like to have a water meter placed on his land.

Director Alpers commented that right now he was not in favor of putting additional money into other programs; money should be spent on fixing the OID canal system. He further stated that he was in favor of educational workshops.

Director Clark stated that the water resources plan should take into account those people that are getting drainage water and irrigating with it.

ITEM NO. 10

DISCUSS LANDOWNER USE AND ACCESS TO WATER RECLAMATION PUMPS

Recently, a water user confronted an OID pump technician at an OID Water Reclamation Pump site. The water user began telling the pump tech about the problem he was having with the pump and his continual need to press the reset button to get the pump to work. What in fact he was doing, by his actions, was creating a potential shock hazard to himself and potentially damaging the pump motor and electrical gear by his actions. The pump technician is an OID Safety Officer and recognized the hazard being created by the inexperienced water user and confiscated his keys to the pump house.

The issue at stake is that this practice seems to be a fairly widespread occurrence within the OID, that is, water users having access to OID pump stations. The fact that water customers have keys would suggest an OID approval for such access. The problem presented is, OID has no policies governing such usage that would protect or at least minimize its exposure to litigation should an injury occur resulting from such permitted activity.

Problems presented by such uncontrolled access have recently included the following:

- An unknown water user entered an OID deep well site and started a deep well pump while it was on winter standby costing the OID \$900 in start up costs.
- An unknown water user entered a water reclamation pump site and adjusted the float system to stay on regardless of water at the site. Action damaged the bottom end of the pump when the site ran out of water. This is a common occurrence annually at some sites.
- When the OID “permits” a water user to perform an OID function, they become an “agent of the state” with the full protection of the OID as if they were an employee. That is, if injured, we would pay their bills, if unable to work, we would cover their workman’s compensation, etc.

If the Board wishes to continue this practice, OID needs to develop a policy for such activities. The policy should contain a liability waiver, annual training by OID to users, key signatory forms with restrictions and limitations, etc. to minimize OID’s exposure.

Director Alpers stated that he is in favor of a policy allowing property owners to use the facilities. He suggested that some type of class be held explaining the procedures and before any keys were issued this class would have to be completed. He further suggested that all access to pumps be re-keyed.

Director Clark stated that he was in favor of allowing keys after re-keying and some education to those getting keys.

Director Brichetto stated that he was in favor of allowing keys after some education as well.

Director Taro stated that he was in favor of allowing keys, but that it needs to be monitored in some way.

A. **GENERAL MANAGER’S REPORT**

Resource Issues

1. We have moved to 12 day rotations beginning the first of May. Due to the unseasonably warm weather, dry windy conditions, water use and demand are up. This action though will necessitate a diminished 10-day rotation period and result in moving from 12 to 14 day rotations sooner in the late summer to make up for this added water use.

Resource Contracts

1. Gary Jernigan is giving the Condor billing and Johnson and Western contract a thorough review. Early indications are this effort may provide some cost savings to OID.

Current Internal Activities

1. PG&E called and has scheduled a meeting for May 11, 2004 regarding the Tulloch Pipeline incident.
2. Kevin King is continuing to get bids for water quality sampling and water quality monitoring.

Current Construction/Maintenance/Engineering Activities

1. The Claribel Lateral had an incident were an adjacent landowner built a road on his property, but by doing so removed the lateral support for the canal bank. An incident report has been prepared and given to the Board. Issues with this incident still remain and may need to be addressed.

Legal Activities

1. Attorney Ijams has been instructed to evaluate the Claribel Lateral incident for protection of facility interests and minimizing OID's exposure to public health and safety issues should the embankment fail.

B. COMMITTEE REPORTS

- No Committee Reports were given.

C. DIRECTORS' COMMENTS

Director Clark

- Director Clark commented that OID has gone 7 months without a lost time work accident. There have been incidents were employees could have taken off but they don't. They are more conscientious and want to keep working, they feel better about their jobs and have more pride in the work they are doing.

At the hour of 11:55 A.M. a motion was made by Director Taro, seconded by Director Alpers and unanimously supported to adjourn to the next **regular Board of Directors' Meeting** to be held on **Tuesday, May 18, 2004 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, May 20, 2004** at 9:00 A.M. at the Tri-Dam Project Office, 31885 Old Strawberry Road, Strawberry, CA 95375.

Attest:

Steve Knell, P.E.
General Manager/Secretary