MINUTES

Oakdale, California May 5, 2020

The Board of Directors of the Oakdale Irrigation District invited all to recite the Pledge of Allegiance and then met in General Session at the hour of 9:00 a.m. Upon roll call, there were present:

Directors: Tom Orvis, President

Herman Doornenbal

Brad DeBoer

Gail Altieri, Vice President

Linda Santos

Staff Present: Steve Knell, General Manager/Secretary

Eric Thorburn, Water Operations Manager Sharon Cisneros, Chief Financial Officer Kim Bukhari, Human Resources Analyst

Also Present: Fred Silva, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

General Manager Steve Knell requested that Action Item No. 14 be pulled from the Agenda.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:04 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 1

Robert Frobose discussed a memo that was given to the employees and the censure of Director Santos.

Rhonda Lucas stated that the Minutes from the Board Meeting on April 7, 2020 should be corrected to reflect that not only were people having trouble calling in due to an incorrect number, but there was technical difficulty in that she was dialing the correct number and kept getting a busy signal.

There being no further Public Comment; Public Comment closed at 9:11 a.m. and the Board Meeting continued.

Director Santos requested Item No. 2 be pulled from the Consent Calendar.

<u>CONSENT ITEMS</u> ITEM NOS. 3, 4, 5, 6, 7, 8

ITEM NO. 3 <u>APPROVE OAKDALE IRRIGATION</u> DISTRICT'S STATEMENT OF OBLIGATIONS

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve Oakdale Irrigation District Statement of Obligations by a roll call vote of 5-0.

ITEM NO. 4 <u>APPROVE OID IMPROVEMENT</u> DISTRICT'S STATEMENT OF OBLIGATIONS

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve OID Improvement District's Statement of Obligations by a roll call vote of 5-0

ITEM NO. 5 <u>APPROVE THE MONTHLY TREASURER'S REPORT AND</u> FINANCIAL STATEMENTS FOR THE TWO MONTHS ENDING FEBRUARY 29, 2020

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve the Monthly Treasurer's Report and Financial Statements for the Two Months Ending February 29, 2020 by a roll call vote of 5-0.

ITEM NO. 6 <u>APPROVE THE MONTHLY TREASURER'S REPORT AND</u> FINANCIAL STATEMENTS FOR THE THREE MONTHS ENDING MARCH 31, 2020

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve the Monthly Treasurer's Report and Financial Statements for the Three Months Ending March 31, 2020 by a roll call vote of 5-0.

ITEM NO. 7

APPROVE ADOPTION OF THE RESOLUTION FOR THE DESIGNATION
OF OAKDALE IRRIGATION DISTRICT'S AGENT FOR FILING OF
APPLICATIONS WITH THE CALIFORNIA GOVERNOR'S OFFICE OF
EMERGENCY SERVICES (CAL OES) FOR THE PURPOSE OF OBTAINING
FEDERAL FINANCIAL ASSISTANCE RELATED TO THE COVID-19
PANDEMIC AND ANY FUTURE DISASTERS FOR UP TO THREE YEARS

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve the Resolution for the Designation of Oakdale Irrigation District's Agent for Non-State Agencies for filing of applications with the California Governor's Office of Emergency Services (Cal OES) for the purpose of obtaining federal financial assistance related to the COVID-19 pandemic and any future disasters for up to three years.

ITEM NO. 8 <u>APPROVE OAKDALE IRRIGATION DISTRICT'S COMMITMENT TO</u> FUNDING FOR THE 60% DESIGN LEVEL FOR THE CANYON TUNNEL PROJECT

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to approve Oakdale Irrigation District's commitment to funding for the 60% design level for the Canyon Tunnel Project.

The above consent items were passed by the following roll call vote:

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

PULLED CONSENT ITEM ITEM NO. 2

ITEM NO. 2 <u>APPROVE BOARD OF DIRECTORS' MINUTES OF</u> <u>THE MEETING OF APRIL 7, 2020 AND RESOLUTION NOS.</u> 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16 AND 2020-17

Attorney Silva recommended that a notation of the public comment that was made in today's meeting with regard to the issues that arose at the prior meeting on the technical difficulties that people were having in trying to call in be included in this meeting's minutes rather than trying to revise the prior meeting's minutes. Attorney Silva stated that no one raised the issue at the April 7, 2020 meeting and he did not think it would be accurate to reflect that in the April 7, 2020 minutes. He stated that it would be appropriate to include the comment that was made by the member of the public in today's meeting minutes.

A motion was made by Director DeBoer, seconded by Director Doornenbal to approve the Board of Directors' Minutes of the Meeting of April 7, 2020 and Resolution Nos. 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16 and 2020-17 and to note in the public comment that people were having technical difficulties trying to call in, and was voted by the following roll call vote:

Director Altieri No
Director Santos No
Director Doornenbal Yes
Director Orvis Yes
Director DeBoer Yes

The motion passed by a 3-2 vote.

ACTION ITEMS ITEM NO. 9, 10, 11, 12, 13

ITEM NO. 9 REVIEW AND TAKE POSSIBLE ACTION TO ADOPT THE RESOLUTION ACCEPTING THE MEMORANDUM OF UNDERSTANDING WITH THE OPERATING ENGINEERS LOCAL UNION NO. 3 BARGAINING GROUP EFFECTIVE JANUARY 1, 2020

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to adopt the Resolution Accepting the Memorandum of Understanding with the Operating Engineers Local Union No. 3 Bargaining Group Effective January 1, 2020 by the following roll call vote:

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

The motion passed by a 5-0 vote.

ITEM NO. 10

REVIEW AND TAKE POSSIBLE ACTION TO ADOPT THE RESOLUTION ACCEPTING THE MEMORANDUM OF UNDERSTANDING WITH THE NON-EXEMPT CONFIDENTIAL BARGAINING GROUP EFFECTIVE JANUARY 1, 2020

A motion was made by Director Altieri, seconded by Director Doornenbal, and was unanimously supported to adopt the Resolution Accepting the Memorandum of Understanding with the Non-Exempt Confidential Bargaining Group Effective January 1, 2020 by the following roll call vote:

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

The motion passed by a 5-0 vote.

ITEM NO. 11

REVIEW AND TAKE POSSIBLE ACTION TO ADOPT THE RESOLUTION ACCEPTING THE MEMORANDUM OF UNDERSTANDING WITH THE EXEMPT SUPERVISORY BARGAINING GROUP EFFECTIVE JANUARY 1, 2020

A motion was made by Director Altieri, seconded by Director Doornenbal, and was unanimously supported to adopt the Resolution Accepting the Memorandum of Understanding with the Exempt Supervisory Bargaining Group Effective January 1, 2020 by the following roll call vote:

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

The motion passed by a 5-0 vote.

ITEM NO. 12

REVIEW AND TAKE POSSIBLE ACTION TO ADOPT THE RESOLUTION ACCEPTING THE MEMORANDUM OF UNDERSTANDING WITH THE EXEMPT MANAGEMENT BARGAINING GROUP EFFECTIVE JANUARY 1, 2020

A motion was made by Director Altieri, seconded by Director Doornenbal, and was unanimously supported to adopt the Resolution Accepting the Memorandum of Understanding with the Exempt Management Bargaining Group Effective January 1, 2020 by the following roll call vote:

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

The motion passed by a 5-0 vote.

ITEM NO. 13 REVIEW AND TAKE POSSIBLE ACTION TO ADOPT THE RESOLUTION APPROVING THE EMPLOYEE 2020 OFFICIAL SALARY AND WAGE SCHEDULE

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to adopt the Resolution Approving the Employee 2020 Official Salary and Wage Schedule by the following roll call vote:

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

The motion passed by a 5-0 vote.

DISCUSSION ITEM NO. 15

ITEM NO. 15 <u>DISCUSSION ON CHANGES TO THE OAKDALE</u> IRRIGATION DISTRICT SURFACE WATER SHORTAGE POLICY

Water Operations Manager Eric Thorburn discussed the proposed changes to the Oakdale Irrigation District Surface Water Shortage Policy. He stated that item would be brought back to the next meeting of the Board of Directors for approval on the Consent Calendar.

ITEM NO. 16

A. GENERAL MANAGERS REPORT

General Manager Steve Knell discussed the items contained in the Board Packet under Communications. General Manager Steve Knell also gave the Board an update on the 2020 water budget.

B. COMMITTEE REPORTS

Ad Hoc Architectural Committee Meeting, April 8, 2020

Director Orvis stated that the Ad Hoc Architectural Committee reviewed more renderings and architectural looks for the new building. He said that the committee is continuing to look at ways to par down the overall costs if the Board decides to move forward with the new building.

Finance Committee Meeting, April 8, 2020 (Closed Session)

Government Code §54956.8 Conference with Real Property Negotiator

Negotiating Parties: OID, Federal and State Contractors, SEWD,

City of Brisbane, City of San Francisco, Mi-Wuks,

Local OOD Ag Users

Property: Water

Agency Negotiators: General Manager and Water Counsel

Under Negotiations: Price and Terms

Director DeBoer stated the Finance Committee looked at the financial needs of the District, the current sources of income and looked at the future water sales and how this would impact the rates of the OID constituents. Director DeBoer stated that the meeting was more of an informational meeting to see how the future pans out for the District.

C. <u>SUMMARY OF DIRECTOR'S COMMENTS</u>

Director Altieri stated it was disconcerting that she and Director Santos found out about the Brisbane water sale through a web posting and through some constituents. She felt some OID members were well aware of the proposed water sale before the March 3, 2020 Board meeting; however, neither Directors Altieri nor Santos were aware of the sale. She wishes she was better informed on these matters.

Director Altieri stated she was shocked by Agenda Item 14 which was pulled from the agenda. The Director also requested that the sending of the memo to OID employees be agendized for OID's next Board meeting in Closed Session.

Director Doornenbal

Director Doornenbal had no comments.

Director Santos

Director Santos stated that after reading Item 14, which was pulled from the agenda, she retained legal counsel. It is her opinion that any censuring of an elected official should be done in open session. She asserted that she has repeated this opinion at both the Tri-Dam and OID Board Meetings. But she stated that both of these Boards have refused to hold a public hearing regarding her censure. She stated that she has been denied due process and an opportunity to address the allegations against her. As a result she stated that rate payers have been denied their right to participate, comment and make their own informed decision.

Having no faith that this Board will faithfully act in a manner prescribed by law, she announced that she is personally filing a complaint with the Grand Jury.

Director DeBoer

Director DeBoer had no comments.

Director Orvis

Director Orvis stated that he wanted to thank all of the District's personnel for all of their hard work. He stated he has been keeping up with all of the changes and keeps seeing COVID-19 memo updates. He noted that the routine was a little different coming in for the meeting but that it's necessary to keep staff healthy. He thanked everyone at the District for maintaining everything as they have and keeping the District's employees safe. He stated he appreciates everyone's efforts.

At the hour of 10:14 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION ITEM NO. 17

A. Government Code §54956.8 – Conference with Property Negotiator

Negotiating Parties: OID, SSJID, SEWD

Property: Water

Agency Negotiators: General Manager and Water Counsel

Under Negotiations: Price and Terms

B. Conference with Legal Counsel – Anticipated Litigation

Government Code §54956.9(d)(4) Determination of Whether to Initiate Litigation One (1) Case

At the hour of 10:28 a.m. the Board reconvened to Open Session.

Coming out of Closed Session President Orvis stated that there was no reportable action.

OTHER ACTION ITEM NO. 3

At the hour of 10:33 a.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, May 19, 2020 at 9:00 a.m.** via teleconference. 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 21, 2020 at 9:00 a.m.** via teleconference and hosted by OID. Details can be obtained by calling (209) 847-0341.

	Thomas D. Orvis, President
Attest:	
Steve Knell, P.E., Secretary	