

## MINUTES

Oakdale, California  
March 3, 2020

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: Tom Orvis, President  
Gail Altieri, Vice President  
Herman Doornenbal  
Linda Santos  
Brad DeBoer

Staff Present: Steve Knell, General Manager/Secretary  
Sharon Cisneros, Chief Financial Officer

Also Present: Fred A. Silva, General Counsel

### **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 items taken out of sequence.

At the hour of 9:02 a.m. the Board welcomed public comment.

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

Robert Frobose stated that he delivered to the District a Brown Act violation for censuring Director Santos. Mr. Frobose also discussed the lawsuit that was filed against Directors Santos and Altieri in 2015.

Gary Aldrin stated that he wanted the Board to take into consideration that a lot of landowners have put money into their infrastructure to enable them to be able to take surface water to their orchard.

There being no further Public Comment; Public Comment closed at 9:05 a.m. and the Board Meeting continued.

**CONSENT ITEMS**

**ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17**

**ITEM NO. 2**

**APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE  
REGULAR MEETING OF FEBRUARY 4, 2020 AND RESOLUTION NO. 2020-02**

A motion was made by Director DeBoer, and seconded by Director Doornenbal, and was unanimously supported to approve the Minutes of February 4, 2020, and Resolution No. 2020-02.

**ITEM NO. 3**

**APPROVE THE OAKDALE IRRIGATION  
DISTRICT'S STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 4**

**APPROVE THE OID IMPROVEMENT  
DISTRICT'S STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**

**APPROVE THE MONTHLY TREASURER'S REPORT AND DRAFT FINANCIAL  
STATEMENTS FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2019**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Monthly Treasurer's Report and Draft Financial Statements for the Twelve Months Ending December 31, 2019.

**ITEM NO. 5**

**APPROVE THE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the assignment of the following work order numbers:

<u>Work Order No.</u>	<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>
2019-009	Lower Cometa Lateral	Replace existing pipeline with 48" A-25 RGRCP, 1-12" turnout, 1-12" coupler, 1-12" 101C gate, and 1- 12" Krohne flow meter. (APNs: 002-001-054/076)	557,800

2019-043	North Main Canal	Remove and replace existing slide gate with 1-18"x10' Fresno 101C slide gate.	2,900
2019-044	Milnes Drain	Remove existing inlet structure and install 1-5'x7' precast MBI turnout structure with 18" coupler, trash rack, and 22 ft. of 18" 100 PIP PVC. (APN: 014-044-003)	12,900
2019-045	Wilson Pipeline	Remove existing gate and install 1-30"x11' Fresno 101C slide gate. (APN: 063-029-058)	5,000
2020-001		City Works Implementation	100,000
2020-002	Campbell Pipeline	Install 1-18" Krohne Enviromag 2000 flow meter, 1-18" in-line valve, and 18" 100 PSI PIP PVC pipe. (APN: 229-080-67)	37,900
2020-003	Brichetto Lateral	Remove and replace 1-standard 'H' structure equipped with board slots, 1-12" Fresno 101C slide gate, structure grating. Also 1-5'x7' precast MBI turnout structure equipped with 1-18" Fresno 101C slide gate, 1-18" starter coupler and 18" 100 PSI PIP PVC pipe. (APN: 014-008-003)	45,200
2020-004	Town E Pipeline	Remove existing gate and install 1-21" x 13.5' Fresno 101C slide gate. (APN: 063-005-004)	3,700
2020-005	Fairbanks Lateral	Remove existing gate and install 1-20" x 7' Fresno 101C slide gate. (APN: 002-008-044)	3,200
2020-006	Moulton Pipeline	Remove existing gate and install 1-20" x 7' Fresno 101C slide gate. (APN: 006-006-053)	5,200

2020-007	Clark Pipeline	Remove existing gate and install 1-14" x 12' Fresno 101C slide gate. (APN: 207-370-12)	2,600
2020-008	Howard Pipeline	Remove existing gate and install 1-36" x 8' Fresno 101C slide gate. (APN: 006-009-045)	5,200
2020-009	Fairbanks Lateral	Remove existing gate and install 1-18" Fresno 20-10C slide gate. (APN: 207-200-30)	3,426
2020-010	Campbell Pipeline	Remove existing gate and install 1-16" Fresno 20-10C slide gate. (APN: 229-120-16)	4,009
2020-011	Kearney Lateral	Remove existing gate and install 1-5'x6' precast MBI structure equipped with 1-15" starter coupler, 1-15" Fresno 101C slide gate, 15" PSI PIP PVC and 1-stilling well assembly. (APN: 010-073-002)	12,700
			<hr/> <u>\$ 801,735</u>

**ITEM NO. 7**  
**APPROVE RESOLUTION ADOPTING REVISED**  
**RURAL WATER SYSTEM'S DOMESTIC WATER POLICY**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Resolution Adopting the Revised Rural Water System's Domestic Water Policy.

**ITEM NO. 8**  
**APPROVE RESOLUTION ADOPTING THE COLLECTION AND**  
**TERMINATION POLICY FOR DELINQUENT ACCOUNTS WITHIN THE**  
**RURAL WATER SYSTEM IN COMPLIANCE WITH SENATE BILL 998 (SB998)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Resolution Adopting the Collection and Termination Policy for Delinquent Accounts within the Rural Water System in Compliance with Senate Bill 998 (SB998).

**ITEM NO. 9**  
**APPROVE SPONSORSHIP TO OAKDALE SADDLE CLUB**  
**FOR THE 2020 OAKDALE RODEO IN THE SUM OF \$1,000**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the sponsorship to Oakdale Saddle Club for the 2020 Oakdale Rodeo in the sum of \$1,000.

**ITEM NO. 10**  
**APPROVE PURCHASE OF ONE (1) PORTABLE**  
**AUGER WITH ACCESSORIES FROM UNITED RENTALS (BUDGETED)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the purchase of one (1) auger with accessories from United Rentals (budgeted).

**ITEM NO. 11**  
**APPROVE WORK RELEASE NO. 101 TO PROFESSIONAL**  
**SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL,**  
**INC. FOR ON-CALL PROFESSIONAL SURVEYING SERVICES**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve Work Release No. 101 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for On-Call Professional Surveying Services.

**ITEM NO. 12**  
**APPROVE WORK RELEASE NO. 054 TO GENERAL SERVICES**  
**AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR**  
**CUTTING, BENDING AND PLACEMENT OF REBAR FOR ONE (1) EA.**  
**STANDARD DROP STRUCTURE LOCATED ON THE BRICHETTO LATERAL**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve Work Release No. 054 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for Cutting, Bending and Placement of rebar for one (1) ea. standard drop structure located on the Brichetto Lateral.

**ITEM NO. 13**  
**APPROVE AMENDMENT NO. 07 TO PROFESSIONAL SERVICES**  
**AGREEMENT 2009-PSA-002 WITH CH2M FOR REVISED HOURLY SCHEDULE**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve Amendment No. 07 to Professional Services Agreement 2009-PSA-002 with CH2M for revised hourly schedule.

**ITEM NO. 14**

**APPROVE QUITCLAIM OF THE RIGHTS OF WAY RESERVED WITHIN DEED WITH INSTRUMENT NO. 1942-3499 (APNS: 130-007-041/042 – CASTILLO/TALAMANTES)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Quitclaim of the rights of way reserved within deed with Instrument No. 1942-3499 (APNS: 130-007-041/042 – Castillo/Talamantes).

**ITEM NO. 15**

**APPROVE DISCHARGE AGREEMENT ON THE RIVERBANK LATERAL (APN: 063-028-024 – SCONZA CANDY COMPANY)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Discharge Agreement on the Riverbank Lateral (APN: 063-028-024 – Sconza Candy Company).

**ITEM NO. 16**

**APPROVE STORM DRAINAGE AGREEMENT ON THE LANGWORTH PIPELINE (APN: 062-010-026 – GORDON BRAKER PLUMBING CONTRACTOR, INC.)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Storm Drainage Agreement on the Langworth Pipeline (APN: 062-010-026 – Gordon Braker Plumbing Contractor, Inc.).

**ITEM NO. 17**

**APPROVE STORM DRAINAGE AGREEMENT ON THE REED POND (APN: 007-012-081 – RIVER OAK GRACE CHURCH)**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and was unanimously supported to approve the Storm Drainage Agreement on the Reed Pond (APN: 007-012-081 – River Oak Grace Church).

**ACTION CALENDAR**

**ITEMS NOS. 18, 19, 20, 21, 22, 23, 24**

**ITEM NO. 18**

**REVIEW AND TAKE POSSIBLE ACTION TO PROVIDE STAFF DIRECTION ON 5-YEAR OUT-OF-DISTRICT WATER SALE PROGRAM**

A motion was made by Director Santos, seconded by Director Altieri to implement the 5-Year Out-of-District Water Sale Program.

The motion and the second opened up the item for discussion by the Board and the public.

At the hour of 9:55 a.m., the Board took a brief recess to discuss the verbiage for the motion.

At the hour of 10:01 a.m. the Board reconvened.

Director Santos withdrew her motion.

A motion was made by Director Santos and was seconded by Director Altieri to approve a 1-year out-of-district contract for 2020 if conserved water is available and to continue with the development of the 5-Year Out-of-District Water Program if conserved water is available and was voted by the following roll call vote:

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

The motion passed by a 5-0 vote.

**ITEM NO. 19**  
**REVIEW AND TAKE POSSIBLE ACTION TO**  
**ADOPT RESOLUTION DECLARING SURPLUS WATER**

A motion was made by Director DeBoer and was seconded by Director Doornenbal to adopt the Resolution Declaring All Water Above an OID Allocation of 235,000 Acre Feet Surplus Water and was voted by the following roll call vote:

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

The motion passed by a 3-2 vote.

**ITEM NO. 20**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT RESOLUTION**  
**APPROVING AGREEMENT FOR RELEASE OF WATER AND AUTHORIZING**  
**THE GENERAL MANAGER TO EXECUTE AGREEMENT FOR RELEASE OF**  
**WATER BY AND AMONG THE OAKDALE IRRIGATION DISTRICT, THE SOUTH**  
**SAN JOAQUIN IRRIGATION DISTRICT, THE SAN LUIS & DELTA-MENDOTA**  
**WATER AUTHORITY AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

A motion was made by Director Doornenbal and was seconded by Director DeBoer to Adopt the Resolution Approving the Agreement for Release of Water and to authorize the General Manager to execute the Agreement for Release of Water by and Among the Oakdale Irrigation District, the South San Joaquin Irrigation District, the San Luis & Delta Mendota Water Authority and the California Department of Water Resources and was voted by the following roll call vote:

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

The motion passed by a 3-2 vote.

**ITEM NO. 21**  
**REVIEW AND TAKE POSSIBLE ACTION TO APPROVE ADOPTION OF RESOLUTION**  
**FINDING THE 2020 SPRING PULSE FLOW RELEASE CATEGORICALLY**  
**EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

A motion was made by Director DeBoer and was seconded by Director Doornenbal to approve Adoption of the Resolution Finding the 2020 Spring Pulse Flow Release Categorically Exempt Under the California Environmental Quality Act (CEQA) and was voted by the following roll call vote:

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

The motion passed by a 3-2 vote.

**ITEM NO. 22**  
**REVIEW AND TAKE POSSIBLE ACTION TO ISSUE WORK**  
**RELEASE NO 010 TO PROFESSIONAL SERVICES AGREEMENT**  
**2011-PSA-008 WITH DAVIDS ENGINEERING, INC. TO UPDATE**  
**THE AGRICULTURAL WATER MANAGEMENT PLAN**

A motion as made by Director Altieri, seconded by Director Doornenbal, and was unanimously supported to issue Work Release No. 010 to Professional Services Agreement 2011-PSA-008 with Davids Engineering, Inc. to update the Agricultural Water Management Plan.

**ITEM NO. 23**  
**REVIEW AND TAKE POSSIBLE ACTION TO CANCEL THE**  
**REGULARLY SCHEDULED BOARD MEETING ON MAY 5, 2020**  
**TO ALLOW BOARD MEMBERS TO ATTEND THE ACWA AND**  
**JPIA 2020 SPRING CONFERENCE MAY 4-8, 2020 IN MONTEREY, CA**

A motion was made by Director Doornenbal, seconded by Director Altieri, and was unanimously supported to cancel the regularly scheduled Board Meeting on May 5, 2020 to



allow Board Members to attend the ACWA and JPIA 2019 Spring Conference May 4-8, 2020 in Monterey, CA.

**ITEM NO. 24**  
**REVIEW AND TAKE POSSIBLE ACTION ON THE APPOINTMENT**  
**OF AN AD HOC COMMITTEE TO PROVIDE STAFF DIRECTION ON THE**  
**ARCHITECTURAL DESIGN FOR THE DISTRICT'S NEW FACILITIES**

President Orvis assigned Director DeBoer and Director Orvis to the Ad Hoc Committee for Architectural Design for the District's New Facilities. The assignment will terminate when the business is completed.

President Orvis asked for a roll call vote to affirm the assignment of Directors DeBoer and Orvis to the Ad Hoc Committee for Architectural Design by roll call vote:

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

The motion passed by a 5-0 vote.

**DISCUSSION**  
**ITEM NO. 25**

**ITEM NO. 25**  
**DISCUSSION / PRESENTATION ON THE DISTRICT'S**  
**SURFACE WATER DIVERSIONS AND DEEP WELL PRODUCTION**

Water Operations Manager Eric Thorburn gave a PowerPoint Presentation on the District's surface water diversions and deep well production.

**COMMUNICATIONS**  
**ITEM NO. 26**

**A. GENERAL MANAGERS REPORT**

General Manager Steve Knell discussed the items contained under Communications in the Board Packet.

**B. COMMITTEE REPORTS**

There were no committee reports.

**C. DIRECTORS COMMENTS**

Director Altieri

Director Altieri commented that she only shows 8 and 5/100 inches of rain as of February 5, 2020.

Director Doornenbal

Director Doornenbal had no comments.

Director Santos

Director Santos had no comments.

Director DeBoer

Director DeBoer had no comments.

Director Orvis

Director Orvis had no comments.

At the hour of 12:13 p.m. the Board adjourned to Closed Session.

**CLOSED SESSION**

**ITEM NO. 27**

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

Negotiating Parties: OID and Mike Ohe  
Property: Dirt  
Agency Negotiators: General Manager  
Under Negotiations: Price and Terms

**B. Government Code §54957.6 - Conference with Labor Negotiator**

Agency Negotiator: Gage Dungy, Liebert Cassidy Whitmore  
Represented Organization: Operations Employees (OE3)  
Unrepresented Employee Organization: Non-Exempt Confidential,  
Exempt Supervisory, and  
Exempt Management  
Bargaining Groups

**C. Government Code §54956.8 – Conference with Real Property Negotiator**

Negotiating Parties: OID, SSJID, DWR, San Luis and Delta  
Mendota Water Authority and State Water  
Contractors  
Property: Water  
Agency Negotiators: General Manager and Water Counsel  
Under Negotiations: Price and Terms

- D. Government Code §54956.9(d)(1) – Existing Litigation (1 Case)**  
Genna Modrell, Susan Larson v. Oakdale Mutual Water Company, LLC, South San Joaquin Irrigation District, Tri Dam Project, et al.
  
- E. Government Code §54956.9(d)(4)**  
**Determination of Whether to Initiate Litigation**  
One (1) Case

At the hour of 12:58 p.m. Director Santos left Closed Session.

At the hour of 1:42 p.m. the Board reconvened to open session.

Coming out of Closed Session, Director Orvis reported the following action:

27.A By a vote of 4-0 the Board unanimously authorized the General Manager to execute the Agreement for the purchase of dirt between the Oakdale Irrigation District and Mike Ohe once it has been prepared.

27.E. The Board approved to accept the report of the Attorney’s Investigation into Director Misconduct as it pertains to Allegation 1 by the following roll call vote:

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

The motion passed by a 4-0 vote.

The Board approved giving direction to the General Counsel to provide alternative remedies to the Board at the next Board Meeting that are consistent with the conclusions and recommendation of the investigative report as it pertains to Allegation 1 by the following vote:

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

The motion passed by a 4-0 vote.

**OTHER ACTION**  
**ITEM NO. 28**

At the hour of 1:43 p.m. the meeting was adjourned. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, March 17, 2020 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, March 19, 2020 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

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Thomas D. Orvis, President

Attest:

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Steve Knell, P.E., Secretary