

MINUTES

Oakdale, California
February 6, 2018

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
Jason Jones, Support Services Manager
Eric Thorburn, Water Operations Manager
Kathy Cook, 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 actions items taken out of sequence.

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

PUBLIC COMMENT ITEM NO. 1

Tom Gookin asked how he could get the Wilms Lateral between the two Horseshoe Roads sprayed. President Orvis asked Mr. Gookin to speak with the Support Services Manger Jason Jones following the meeting.

Robert Frobose asked that an ad hoc committee be appointed to look at all repairs and improvements to district property. He also discussed the Santos/Altieri legal action.

There being no further Public Comment; Public Comment closed at 9:13 a.m. and the Board Meeting continued.

Director Santos requested Item No. 3 be pulled from the Consent Calendar.

CONSENT ITEMS
ITEM NOS. 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16

ITEM NO. 2

This item was pulled from the agenda.

ITEM NO. 4
APPROVE TREASURER AND CHIEF FINANCIAL OFFICER'S REPORT FOR THE MONTH ENDING DECEMBER 31, 2017

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the month ending December 31, 2017.

ITEM NO. 5
APPROVE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the following Assignment of Capital Work Order Numbers:

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Clavey Pipeline	Install 1-18" Krohne Enviromag 2000 flow meter, 1-18"x11' Fresno 101C slide gate, 2-18" couplers, 2-18" elbows, and additional appurtenances. (APN: 010-072-003)	\$47,300	2017-046
Paulsell Lateral	Installation of 1-21" Krohne Enviromag 2000 flow meter, 2-21" starter couplers, 44'-21" 100 PSI PIP PVC, 2-21" 45° elbows, 2-21" 90° elbows, and 1-21" PVC repair coupler. (APNs: 010-020-016, 011-005-010)	40,900	2018-003
Stude Pipeline	Remove and replace pipeline with 1,100 ft. of 15" 100 PSI PIP PVC, 2-15" starter couplers, 2-concrete connection blocks, 2-air vent assemblies and 6-15" 45° elbows. (APN: 006-004-010)	43,400	2018-013
South Lateral	Installation of 1-30"x7.5' Fresno 101C slide gate. (APN: 015-004-020)	5,300	2018-014
Riverbank Lateral	Installation of 1-18"x12' Fresno 101C slide gate. (APN: 062-026-005)	4,500	2018-015
Howard Pipeline	Modify existing turnout with 1-15" Fresno 101C slide gate, 1-15" starter coupler, 1-concrete connection collar, stilling well assembly, and 20'-15" 100 PSI PIP PVC. (APN: 006-009-045)	18,200	2018-016
Tulloch Lateral	Installation of 6,000 ft. of six-strand barbed wire fence. (APN: 002-051-003)	66,000	2018-017
Cometa Lateral	Installation of 1,800 ft. of six-strand barbed wire fence. (APN: 002-009-022)	19,800	2018-018

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Reed Lateral	Installation of 1-12"x8' Fresno 101C slide gate. (APN: 002-008-007)	3,900	2018-019
Dry Creek Lateral	Installation of 1-12"x14.5' Fresno 101C slide gate. (APN: 015-001-020)	4,200	2018-020
South Lateral	Installation of 1-5'x7' precast MBI structure with 1-15" starter coupler, 1-15" 100 PIP PVC, stilling well, and necessary appurtenances. (APN: 010-018-024)	16,400	2018-021
Knights Ferry Pump Station	Installation of 1-2" Krohne Enviromag 2000 flow meter. (APN: 002-035-027)	8,300	2018-022
Burnett Lateral	Installation of 1-27"x7' Fresno 101C slide gate 1-stilling well, 22'-27" 100 PSI PIP PVC, 1-27" starter coupler, and 1-concrete connection collar	22,300	2018-023
<u>Canceled</u>			
Clavey Pipeline	Remove and replace 1-24"x16' Fresno 101C slide gate. (APN: 010-038-007)	(\$5,000)	2017-022

ITEM NO. 6

APPROVE WORK RELEASE NO. 072 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO PREPARE A PLAT AND LEGAL DESCRIPTION FOR A THIRTY FOOT EASEMENT FOR THE BROCKMAN LATERAL THROUGH APNS: 002-057-002/003

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 072 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to prepare a plat and legal description for a thirty foot easement for the Brockman Lateral through APNS: 002-057-002/003.

ITEM NO. 7

APPROVE WORK RELEASE NO. 073 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO PREPARE PLAT AND LEGAL DESCRIPTION FOR A THIRTY FOOT EASEMENT FOR THE DIXON PIPELINE THROUGH APN: 010-022-004

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 073 to Professional Services Agreement No. 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to prepare a plat and legal description for a thirty foot easement for the Dixon Pipeline through APN: 010-022-004.

ITEM NO. 8

APPROVE WORK RELEASE NO. 039 TO GENERAL SERVICES AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR CUTTING, BENDING AND PLACEMENT OF REBAR FOR ONE (1) EA. STANDARD BOX CULVERT LOCATED ON THE COMETA LATERAL

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 039 to General Services Agreement 2013-GSA-039

with Northern Steel, Inc. for cutting, bending and placement of rebar for one (1) ea. standard box culvert located on the Cometa Lateral.

ITEM NO. 9

APPROVE WORK RELEASE NO. 001 TO GENERAL SERVICES AGREEMENT 2018-GSA-001 WITH TASHJIAN TOWERS CO. FOR DESIGN AND ERECTION OF THE NORTH SIDE REGULATING RESERVOIR SCADA TOWER

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 001 to General Services Agreement 2018-GSA-001 with Tashjian Towers Co. for design and erection of the North Side Regulating Reservoir SCADA Tower.

ITEM NO. 10

APPROVE WORK RELEASE NO. 017 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-002 WITH CH2M HILL FOR PROFESSIONAL SERVICES TO PROVIDE SUPPORT TO DEVELOP AN ENVIRONMENTAL IMPACT REPORT FOR THE NORTH SIDE REGULATING RESERVOIR SCADA TOWER PROJECT

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 017 to Professional Services Agreement 2009-PSA-002 with CH2M Hill for professional services to provide support to develop an environmental impact report for the North Side Regulating Reservoir SCADA Tower Project.

ITEM NO. 11

APPROVE AMENDMENT NO. 002 TO GENERAL SERVICES AGREEMENT 2015-GSA-002 WITH SIERRA CONTROLS LLC FOR REVISED RATE SCHEDULE

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Amendment No. 002 to General Services Agreement 2015-GSA-002 with Sierra Controls LLC for revised rate schedule.

ITEM NO. 12

APPROVE QUITCLAIM AND ACCEPT A NEW GRANT OF EASEMENT OF A PORTION OF THE ADAMS NO. 1 PIPELINE (APN: 064-059-001 – JUSTIN T. LABADIE)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the Quitclaim and accept a new Grant of Easement of a portion of the Adams No. 1 Pipeline (APN: 064-059-001 – Justin T. Labadie).

ITEM NO. 13

APPROVE ENCROACHMENT PERMIT ON THE ADAMS NO. 1 PIPELINE AND WAIVE ASSOCIATED STRUCTURE PERMIT FEE (APN: 064-059-001 - JUSTIN T. LABADIE)

A motion as made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Encroachment Permit on the Adams No. 1 Pipeline and waive associated structure permit fee (APN: 064-059-001 – Justin T. Labadie).

ITEM NO. 14

APPROVE ABANDONMENT AND QUITCLAIM OF THE TERMINUS OF THE YOUNG LATERAL AND ACCEPT A GRANT OF EASEMENT FOR THE PROPOSED TERMINUS OF THE YOUNG LATERAL (APNS: 002-012-063 – JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE TRUST DATED MAY 7, 2008, JOHN M. BRICHETTO 2012 IRREVOCABLE TRUST DATED DECEMBER 21, 2012, AND JOSEPH P. BRICHETTO 2012 IRREVOCABLE TRUST DATED DECEMBER 21, 2012)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Abandonment and Quitclaim of the terminus of the Young Lateral and accept a Grant of Easement for the proposed terminus of the Young Lateral (APNS: 002-012-063 – John and Jacqueline Brichetto 2008 Revocable Trust dated May 7, 2008, John M. Brichetto 2012 Irrevocable Trust dated December 21, 2012, and Joseph P. Brichetto 2012 Irrevocable Trust dated December 21, 2012).

ITEM NO. 15

APPROVE ENCROACHMENT AND AGRICULTURAL PERMITS ON THE CAMPBELL LATERAL (APN: 002-013-034 – GREEN)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the Encroachment and Agricultural Permits on the Campbell Lateral (APN: 002-013-034 – Green).

ITEM NO. 16

APPROVE ENCROACHMENT AND AGRICULTURAL DISCHARGE PERMITS ON THE HOWARD PIPELINE (APN: 006-009-045 – THEODORE P. DYKZEUL AND BARBARA C. DYKZEUL TRUST UNDER INSTRUMENT DATED MARCH 1, 1994)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the Encroachment and Agricultural Discharge Permits on the Howard Pipeline (APN: 006-009-045 – Theodore P. Dykzeul and Barbara C. Dykzeul Trust Under Instrument dated March 1, 1994).

The above Consent Items passed unanimously by the following votes:

Ayes:	Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes:	None
Absent:	None

PULLED CONSENT CALENDAR

ITEM NO. 3

ITEM NO. 3

APPROVE THE OAKDALE IRRIGATION DISTRICT STATEMENT OF OBLIGATIONS

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

The above Consent Items passed unanimously by the following votes:

Ayes: Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes: None
Absent: None

ACTION CALENDAR
ITEM NOS. 17, 18, 19, 20, 21

ITEM NO. 17
REVIEW AND TAKE POSSIBLE ACTION
ON BOARD COMMITTEE ASSIGNMENTS

Director Santos requested that the assignments for the Planning and Public Relations Committee be changed to make her the alternate and Director Altieri the Committee Member.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the assignments to Board Committees made by the President once the change has been made to the Planning and Public Relations Committee as stated above.

The motion passed unanimously by the following vote:

Ayes: Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes: None
Absent: None

ITEM NO. 18
REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION
APPROVING REVISED RECORDS RETENTION AND DESTRUCTION POLICY

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to adopt the Resolution Approving Revised Records Retention and Destruction Policy.

The motion passed unanimously by the following vote:

Ayes: Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes: None
Absent: None

ITEM NO. 19
REVIEW AND TAKE POSSIBLE ACTION TO GIVE DIRECTION ON
ESTABLISHING A TIME AND SCHEDULE FOR DIRECTOR TRAINING

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to direct staff to coordinate a time and schedule with the President of the Board for the Directors' training.

The motion passed unanimously by the following vote:

Ayes:	Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes:	None
Absent	None

ITEM NO. 20
REVIEW AND TAKE POSSIBLE ACTION TO DEVELOP A 50% DESIGN ANALYSIS OF TWO POTENTIAL CITY OF OAKDALE PARTNERSHIP PROJECTS: (1) RECLAMATION AND REUSE OF CITY WASTEWATER AND (2) IRRIGATION OF GREGER PARK WITH OID SURFACE WATER

City Manager Bryan Whitemyer was present at the Board Meeting and discussed this agenda item.

A motion as made by Director Doornenbal, seconded by Director Santos, and unanimously supported to develop a 50% design analysis of two potential City of Oakdale partnership projects: (1) reclamation and reuse of city wastewater and (2) irrigation of Greger Park with OID surface water.

The motion passed unanimously by the following vote:

Ayes:	Directors Orvis, Altieri, Doornenbal, Santos, DeBoer
Noes:	None
Absent	None

ITEM NO. 21
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE A WAIVER TO SECTION 10(a) OF THE TIER II ANNEXATION AGREEMENT (APN: 207-090-02 – WENDELL J. NARAGHI)

Mr. DeJong was present at the Board Meeting and discussed his request with the Board.

A motion was made by Director Doornenbal to look at different rates. The motion failed for lack of a second.

A motion was made by Director Santos and seconded by Director Altieri to deny the waiver to Section 10(a) of the Tier II Annexation Agreement (APN: 207-090-02 – Wendell J. Naraghi) and was voted as follows:

Ayes:	Directors Santos, Altieri, Orvis
Noes:	Director Doornenbal
Abstention:	Director DeBoer

The motion passed by a 3-1 with one abstention.

DISCUSSION
ITEM NOS. 22, 23, 24

ITEM NO. 22
DISCUSSION ON ATTORNEY BILLING

General Counsel Fred A. Silva stated that he conducted a survey with 20 other attorneys with whom he sits on a pension plan board as well as other special districts and they all concurred that they do not allow the copying of attorney statements and/or provide copies to the Directors. He stated that this item would be discussed further in Closed Session.

ITEM NO. 23
DISCUSSION ON THE LEGAL ISSUES OF
RENTING DISTRICT PROPERTY TO DISTRICT EMPLOYEES

General Counsel Fred A. Silva stated that he has determined through his legal research that the District is under no requirement to offer the property to the general public and can rent district property to a district employee.

ITEM NO. 24
DISCUSSION OF CITY OF OAKDALE'S LETTER OF SEPTEMBER 25,
2017 REGARDING THE DISPARATE TREATMENT OF CITY CUSTOMERS

General Counsel Fred A. Silva stated this item is on the agenda as a discussion item to allow City Manager Bryan Whitemyer to comment.

City Manager Bryan Whitemyer discussed the City of Oakdale's letter of September 25, 2017 with the Board.

COMMUNICATIONS
ITEM NO. 25

A. **GENERAL MANAGERS REPORT**

General Manager Steve Knell discussed the WIIN Legislation and the fact that the Native Fish Plan was approved by NMFS and DFWP and that it has moved forward to the permitting stage.

Support Services Manager Jason Jones gave an update on the Two-Mile Bar Tunnel Project.

B. **COMMITTEE REPORTS**

There were no committee reports.

C. **DIRECTORS COMMENTS**

Director Altieri

Director Altieri had no comments.

Director Santos

Director Santos had no comments.

Director DeBoer

Director DeBoer had no comments.

Director Doornenbal

Director Doornenbal had no comments.

Director Orvis

Director Orvis stated that he attended the WAC. The University of California Cooperative Extension gave a report on the wintertime flooding of almonds for groundwater recharge. Their data is pretty much wrapped up in the Modesto area and Delhi and they see potential benefits.

Director Orvis stated that there was a workshop on the Programmatic EIR for groundwater in Stanislaus County. The presentation is available on the Department of Environmental Resources on the groundwater county site.

He discussed his attendance last Monday at the CII Conference in Sacramento. There were a lot of Districts there from throughout the state and the President of the Board from Metropolitan Water District spoke. His discussion was geared towards the tunnels. Director Orvis encouraged the Directors to take advantage of these conferences when they are held in Sacramento.

Members of the public, City Manager Bryan Whitemyer and Robert Frobose, commented on Closed Session.

At the hour of 10:43 a.m. the Board adjourned to Closed Session.

CLOSED SESSION
ITEM NO. 26

- A. Government Code §54956.8 Conference with Real Property Negotiator**
Negotiating Parties: San Luis Delta Mendota Water Authority,
Department of Water Resources
Property: Water
Agency Negotiators: General Manager and Water Counsel
Under Negotiations: Terms
- B. Government Code §54956.9(d)(2) - Significant Exposure to Litigation**
One (1) Case

C. Government Code §54956.9(d)(1) - Existing Litigation (5 cases)

Oakdale Groundwater Alliance; Frobose, Bricchetto, et al. v. OID
Chris Lewis v. Oakdale Irrigation District
Gregory L. Ellis, et al., v. Oakdale Irrigation District
Oakdale Irrigation District v. SWRCB, et al.
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.

D. Initiation of Litigation §54956.9(d)(4)

One (1) Case

At the hour of 12:55 p.m. the Board reconvened to open session.

Coming out of Closed Session Director Orvis reported that by a vote of 5-0 the Board unanimously agreed to pay the City of Oakdale \$100,000 in settlement of their alleged claim.

OTHER ACTION
ITEM NO. 27

At the hour of 12:55 p.m. the meeting was adjourned. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, February 20, 2018 at 6:00 p.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, February 15, 2018 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Thomas D. Orvis, President

Attest:

Steve Knell, P.E., Secretary