

## **MINUTES**

Oakdale, California  
August 7, 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 items taken out of sequence.

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

### **PUBLIC COMMENT ITEM NO. 1**

Jeff Siebert wanted to thank the Board and the Oakdale Irrigation District crew that came out to his property to correct an issue. He stated that the crew did a fantastic job and corrected the problem that he was having quickly. He stated that he appreciated it very much and that he has a lot of faith in the District.

There being no further Public Comment; Public Comment closed at 9:04 a.m. and the Board Meeting continued.

**HEARING CALENDAR**  
**ITEM NOS. 2**

**ITEM NO. 2**  
**PUBLIC HEARING TO ACCEPT COMMENTS PERTINENT TO THE**  
**CEQA DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OAKDALE**  
**IRRIGATION DISTRICT NORTH SIDE COMMUNICATIONS TOWER PROJECT**

The public hearing to accept comments was opened at 9:05 a.m.

There being no public comment, the public hearing closed at 9:05 a.m.

Director Santos requested that item No. 5 be pulled from the consent calendar.

**CONSENT ITEMS**  
**ITEM NOS. 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14**

**ITEM NO. 3**  
**APPROVE THE BOARD OF DIRECTORS'**  
**MINUTES OF THE REGULAR MEETING OF JULY 17, 2018**  
**AND RESOLUTION NOS. 2018-44, 2018-45, 2018-46 AND 2018-47**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the Board of Directors' Minutes of the Regular meeting of July 17, 2018 and Resolution Nos. 2018-44, 2018-45, 2018-46, and 2018-47.

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

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

**ITEM NO. 6**  
**APPROVE PURCHASE OF**  
**REPLACEMENT NETWORK COMPUTERS (BUDGETED)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the purchase of replacement network computers (budgeted).

**ITEM NO. 7**  
**APPROVE PURCHASE OF ONE (1) NEW SINGLE**  
**AXLE RTV TRAILER FROM BONANDER TRAILER (BUDGETED)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the purchase of one (1) new single axle RTV trailer from Bonander Trailer (budgeted).

**ITEM NO. 8**  
**APPROVE WORK RELEASE NO. 076 TO PROFESSIONAL SERVICES**  
**AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR**  
**PROFESSIONAL SERVICES TO PREPARE A PLAT AND LEGAL DESCRIPTIONS**  
**FOR A THIRTY FOOT EASEMENT FOR THE SPALDING PIPELINE AND A**  
**SIXTY FOOT EASEMENT FOR THE DIAMOND DRAIN THROUGH APN: 010-018-078**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve Work Release No. 076 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to prepare a plat and legal descriptions for a thirty foot easement for the Spalding Pipeline and a sixty foot easement for the Diamond Drain through APN: 010-018-078.

**ITEM NO. 9**  
**APPROVE WORK RELEASE NO. 082 TO PROFESSIONAL**  
**SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL,**  
**INC. FOR PROFESSIONAL SERVICES TO PROVIDE SURVEYING**  
**SERVICES AND PROPERTY LINE STAKING FOR THE KEARNEY**  
**LATERAL THROUGH APNS: 010-073-005/006/007 AND 010-019-052**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve Work Release No. 082 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to provide surveying services and property line staking for the Kearney Lateral through APNS: 010-073-005/006/007 and 010-019-052.

**ITEM NO. 10**  
**APPROVE AMENDMENT NO. 001 TO PROFESSIONAL SERVICES**  
**AGREEMENT 2009-PSA-003 WORK RELEASE NO. 010 WITH CONDOR**  
**EARTH TECHNOLOGIES, INC. FOR AMENDMENT TO HOURLY RATE SCHEDULE**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve Amendment No. 001 to Professional Services Agreement 2009-PSA-003 Work Release No. 010 with Condor Earth Technologies, Inc. for amendment to hourly rate schedule.

**ITEM NO. 11**  
**APPROVE DEFERRED CONDITIONS OF APPROVAL**  
**AGREEMENT (APNS: 062-009-043/044 – CARROLLTON**  
**MORTGAGE CO.) AND REQUEST TO CONNECT SUBSTANDARD**  
**PARCELS (APNS: 062-009-043/044 – CARROLLTON MORTGAGE CO.)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the Deferred Conditions of Approval Agreement (APNS: 062-009-043/044 – Carrollton Mortgage Co.) and the request to connect substandard parcels (APNS: 062-009-043/044 – Carrollton Mortgage Co.).

**ITEM NO. 12**  
**APPROVE DEFERRED CONDITIONS OF APPROVAL AGREEMENT**  
**(APNS: 014-002-013/014/015/016/017/018/019/020/021/022/024/025/026/  
027/028/029/031/032/033/034/035/036/037/038/039 – BENTLEY RANCH, LLC)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the Deferred Conditions of Approval Agreement (APNS: 014-002-013/014/015/016/017/018/019/020/021/022/024/025/026/027/028/029/031/032/033/034/035/036/037/038/039 – Bentley Ranch, LLC).

**ITEM NO. 13**  
**APPROVE REQUEST FOR NEW CONNECTION OF**  
**SUBSTANDARD PARCELS (APNS: 014-002-036/038 – BENTLEY RANCH, LLC)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the request for new connection of substandard parcels (APNS: 014-002-036/038 – Bentley Ranch, LLC).

**ITEM NO. 14**  
**APPROVE REQUEST FOR NEW CONNECTION OF**  
**SUBSTANDARD PARCEL (APN: 006-088-020 – DAVIS/VANIER)**

A motion was made by Director DeBoer, seconded by Director Santos, and unanimously supported to approve the request for new connection of substandard parcel (APN: 006-088-020 – Davis/Vanier).

**PULLED CONSENT CALENDAR**  
**ITEM NOS. 5**

**ITEM NO. 5**  
**APPROVE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS**

A motion was made by Director DeBoer, seconded by Director Doornenbal, and unanimously supported to approve the following Capital Work Order Numbers.

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
North Side Reservoir	Communications Tower Installation (APN: 002-052-018)	\$287,961	2018-031
Crouch Lateral	Installation of 1-5'x7' precast MBI turnout structure with 1-18" coupler, 1-18"x8.5' Fresno 101C slide gate, 1-18"x22' 100 PSI PIP PVC and 1-stilling well assembly. (APN: 006-002-035)	22,700	2018-039

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Clark Pipeline	Install 1-12" line gate, 2-12" bolt-on couplers, 1-12"x20' 100 PSI PIP PVC, 1-12" starter coupler, 1-12" 90 deg. elbow, 1-concrete connection collar. (APN: 20731015)	\$ 12,100	2018-040
Austin Pipeline	Install 1-12" line gate, 2-12" bolt-on couplers, 1-12"x20' 100 PSI PIP PVC, 2-12" starter couplers, 1-12"x8" 100 PSI PIP PVC tee, 2-concrete connection collars. (APN: 062-009-044)	12,800	2018-041

**ACTION CALENDAR**  
**ITEMS NOS. 15, 16, 17, 18, 19, 20**

**ITEM NO. 15**

**REVIEW AND TAKE POSSIBLE ACTION ON THE DONATION REQUEST OF THE OAKDALE EDUCATIONAL FOUNDATION IN THE SUM OF \$5,000**

The President Amber Jones of the Oakdale Educational Foundation was present and discussed the request.

A motion was made by Director Altieri, seconded by Director Santos, and unanimously supported to approve a donation of \$5,000 to the Oakdale Educational Foundation.

**ITEM NO. 16**

**REVIEW AND TAKE POSSIBLE ACTION ON THE DONATION REQUEST OF THE CHILDREN'S GUARDIAN FUND IN THE SUM OF \$2,000**

A motion was made by Director Santos, seconded by Director Altieri to table the matter. The motion failed.

A motion was made by Director Santos to amend her prior motion and donate the sum of \$1,500 to the Children's Guardian Fund, the motion was seconded by Director Altieri, and was unanimously supported to approve a donation of \$1,500 to the Children's Guardian Fund.

President Orvis requested that an invitation be extended to the Children's Guardian Fund and request their attendance at the next Board Meeting to discuss their request.

**ITEM NO. 17**

**REVIEW AND TAKE POSSIBLE ACTION TO AUTHORIZE THE GENERAL MANAGER TO EXECUTE A COST SHARE AGREEMENT WITH THOMAS AND LOIE WILSON**

A motion was made by Director Doornenbal, seconded by Director DeBoer, and unanimously supported to authorize the General Manager to execute a Cost Share Agreement with Thomas and Loie Wilson

**ITEM NO. 18**  
**REVIEW AND TAKE POSSIBLE ACTION TO APPROVE THE STANISLAUS**  
**AND TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION**  
**GROUNDWATER SUSTAINABILITY AGENCY COST SHARING**  
**AGREEMENT AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE**

A motion was made by Director Santos, seconded by Director Doornenbal, and unanimously supported to approve the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency Cost Sharing Agreement and authorize the General Manager to execute.

**ITEM NO. 19**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A**  
**RESOLUTION AUTHORIZING INVESTMENT OF MONIES IN THE**  
**LOCAL AGENCY INVESTMENT FUND FOR IMPROVEMENT DISTRICTS**

A motion was made by Director Doornenbal, seconded by Director DeBoer, and unanimously supported to adopt the Resolution Authorizing Investment of Monies in the Local Agency Investment Fund for Improvement Districts.

**ITEM NO. 20**  
**REVIEW AND TAKE POSSIBLE ACTION TO**  
**CANCEL THE SPECIAL BOARD MEETING ON AUGUST 21, 2018**

A motion was made by Director Santos, seconded by Director Doornenbal, and unanimously supported to cancel the Special Board Meeting on August 21, 2018.

**COMMUNICATIONS**  
**ITEM NO. 21**

**A. GENERAL MANAGERS REPORT**

General Manager Steve Knell reported on the following:

- Progressing on two projects with the City of Oakdale; water reuse and Greger Park irrigation;
- The Two-Mile Bar Tunnel is 83% complete with a possible dedication occurring in January or February;
- The District hired a H.R. Analyst Kim Bukhari and she will be starting on August 20, 2018;
- The CFO interviews will be conducted on Friday and Kathy Cook's last full day will be on September 7, 2018;
- The General Managers from OID and SSJID and their Board Presidents were invited to a brief Q/A and photo op at New Melones on July 20, 2018 with Secretary of Interior Ryan Zinke;

- The General Managers from OID and SSJID and water counsels will be heading up to Washington D. C. in September. The House Resources Committee has asked the Districts to testify before their committee regarding the WIIN Act, predation on the river, New Melones storage, and the WQCP;
- OID and SSJID held a kick-off meeting for agencies for the Basin Plan;
- The questions were delivered to the Superintendent Marc Malone at the Oakdale Joint Unified School District on the School Farm Project;
- We will be asking the Board at our next meeting how it wishes to proceed with the new building site; and
- The 2018 Water Budget was reviewed as per usage to-date.

General Counsel Fred Silva stated that a Stipulation and Order of Dismissal had been reached regarding the On Farm Conservation Program. Originally there was a concern that the District would violate the Court's judgment entered in the case entitled OGA v. OID if it paid the claims associated with the On-Farm Conservation Program. Attorney Silva reported that the attorney for OGA and he agreed to stipulate that the payment of these claims would not be a violation of the Court's judgment and the stipulation was submitted to the Judge and was signed. This allows the District to make payments on those claims without risk that it would be in violation of the Court's judgment in the OGA v. OID case.

## **B. COMMITTEE REPORTS**

There were no committee reports.

## **C. DIRECTORS COMMENTS**

### Director Altieri

Director Altieri had no comments.

### Director Doornenbal

Director Doornenbal had no comments.

### Director Santos

Director Santos had no comments.

### Director DeBoer

Director DeBoer thanked Mr. Siebert for attending and giving a report on how the District's crews were doing. He stated that you rarely hear good comments, usually only the bad comments are heard. He really appreciated his comment and it should be passed on to the employees. Director DeBoer stated that we all make mistakes and we all have days when we are not where we should be, but thinks overall that our District does a great job. Director DeBoer thanked Kathy and stated that the difference between getting .05% and 1.8% on invested monies may not look like a lot, but that shows me that our District is interested in doing the very best they can for everybody in the District. Director DeBoer stated that he is proud of the District and has seen some of the recent developments with the Rubicon gates and the improved service over the years. Director DeBoer stated that his DSO usually calls

and states that he cannot have water for 2 or 3 days and now it is in 3 or 4 or 6 hours. Director DeBoer asked that these comments also be passed on to the employees.

#### Director Orvis

Director Orvis reminded everyone about the State Board Hearings on August 21<sup>st</sup> and 22<sup>nd</sup> and the rally the day before on August 20. Director Orvis stated that the Stanislaus and San Joaquin Farm Bureaus in coordination with the Cities have three buses leaving from Merced, Turlock, and Stockton, that are going up to Sacramento. The rally will be on the Capitol steps at noon and the goal is to get the buses there before 11:30 a.m. He encouraged everyone to attend the rally. Director Orvis stated that for more information on the Turlock bus you can call (209) 522-7278.

At the hour of 10:09 a.m. the Board adjourned to Closed Session.

### **CLOSED SESSION** **ITEM NO. 22**

**A. Government Code §54956.9(d)(4) – Initiation of Litigation**  
Two (2) Cases

**B. Government Code §54956.9(d)(1) - Existing Litigation**  
*Gregory L. Ellis, et al., v. Oakdale Irrigation District*

**C. Government Code §54957.6 - Conference with Labor Negotiator**  
Agency Negotiator: General Manager  
Unrepresented Employee Organizations: Non-Exempt Confidential, Exempt Supervisory, and Exempt Management Bargaining Groups

At the hour of 11:25 a.m. the Board reconvened to open session. Director Orvis stated that the Board by a unanimous vote directed the General Manager to negotiate a settlement in the Ellis v. OID case.

### **OTHER ACTION** **ITEM NO. 23**

At the hour of 11:25 a.m. the meeting was adjourned. The next Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, September 4, 2018 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA. The August 21, 2018 Special Board Meeting has been cancelled.



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, August 16, 2018 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

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Thomas D. Orvis, President

Attest:

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Steve Knell, P.E., Secretary