

MINUTES

Oakdale, California
September 5, 2017

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: Steve Webb, President
Herman Doornenbal, Vice President
Gail Altieri
Linda Santos

Staff Present: Steve Knell, General Manager/Secretary
Jason Jones, Support Services Manager
Kathy Cook, Chief Financial Officer/Treasurer
Eric Thorburn, Water Operations Manager

Also Present: Fred A. Silva, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

General Manager Steve Knell requested that Action Item No. 21 be deleted from the Agenda because the landowner could not be present at the Board Meeting.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:01 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 2

Robert Frobose addressed many issues including: (1) the donation requests that were not approved at the last Board meeting; (2) his public comment that was not included in the Minutes of the last Board Meeting; and (3) the water sale that will be discussed in Closed Session today.

Brad DeBoer requested that the Board reconsider the donation requests of the Oakdale Joint Unified School District for the School Farm Project and the City of Oakdale for the community pool because it is a positive thing for the community.

There being no further Public Comment; Public Comment closed at 9:07 a.m. and the Board Meeting continued.

PUBLIC HEARING
ITEM NO. 2

ITEM NO. 2
PUBLIC HEARING TO ACCEPT COMMENTS PERTINENT TO THE CEQA
INITIAL STUDY AND NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION FOR THE OAKDALE IRRIGATION DISTRICT
PHASE I TOTAL CHANNEL CONTROL SYSTEM MODERNIZATION PROJECT

The Phase I Total Channel Control System Modernization Project (Project) will involve the removal and replacement of selected canal structures on existing water conveyance facilities, specifically OID's Burnett, Kearney, Hirschfeld, and Tulloch Laterals. The existing canal structures consist of centerline drop structures and landowner delivery structures, or turnouts. Automated canal gates, flow control, and measurement devices will be installed to replace existing center gates and some landowner turnouts as part of the Project. Total Channel Control (TCC) refers to an operational mode in which the gates along a given canal communicate to each other, so that fluctuations in flow can be compensated by the neighboring gates automatically. There will be no new water conveyance facilities constructed as part of the Project, and all work will take place within OID's existing canal footprint and rights of way.

The Public Hearing opened at 9:07 a.m.

Robert Frobose asked if the District was using Rubicon on this project and if the District was looking into any other devices except Rubicon.

The Public Hearing closed at 9:16 am.

Director Doornenbal requested that Item Nos. 3 and 19 be pulled from the Consent Calendar; Director Santos requested that Item Nos. 4, 15, 16, and 17 be pulled from the Consent Calendar; and Director Altieri requested that Item Nos. 9 and 12 be pulled from the Consent Calendar.

PULLED CONSENT ITEM
ITEM NOS. 3, 4, 9, 12, 15, 16, 17, 19

ITEM NO. 3
APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE REGULAR
MEETING OF AUGUST 1, 2017 AND RESOLUTION NOS. 2017-67 AND 2017-68

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of August 1, 2017 and Resolution Nos. 2017-67 and 2017-68 once the correction has been made to Action Item No. 16.

ITEM NO. 4
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the Statement of Obligations with the exception of the payments made to the Stanislaus County Registrars of Voters, the Productivity Enhancement Certificates Payouts, Damrell, Nelson, Schrimp, Pallios, Pacher & Silva, and O'Laughlin & Paris, LLP.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the payment to the Stanislaus County Registrar of Voters.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the payments made for the Productivity Enhancement Certificates.

A motion was made by Director Santos and seconded by Director Altieri to not approve the payments made to Damrell, Nelson, Schrimp, Pallios, Pacher & Silva and to O'Laughlin & Paris, LLP, and was voted as follows:

Ayes:	Directors Santos, Altieri
Noes:	Directors Webb and Doornenbal
Absent:	None

The motion failed by a 2-2 vote.

It is noted for the record that Chief Financial Officer, Kathy Cook, informed the Board that the invoices for services as presented have already been paid in compliance with OID's purchasing policy, legally executed service contracts and MOU agreements.

Director Santos requested that the payments made to Damrell, Nelson, Schrimp, Pallios, Pacher & Silva and O'Laughlin & Paris, LLP be brought back to the next meeting for discussion in Closed Session pursuant to Section 54957(b). General Counsel Fred A. Silva stated that he would look into this code section to see if it applies and report back to the Board.

ITEM NO. 9
APPROVE BOARD ATTENDANCE AT THE ACWA FALL CONFERENCE
IN ANAHEIM, CALIFORNIA NOVEMBER 28, 2017 THROUGH DECEMBER 1, 2017

A motion was made by Director Altieri, seconded by Director Santos, and unanimously supported to approve the Board attendance at the ACWA Fall Conference in Anaheim, California November 28, 2017 through December 1, 2017 and that the Directors who attend the conferences give a report following the conference to the Board of Directors.

ITEM NO. 12
APPROVE GENERAL SERVICES AGREEMENT 2017-GSA-008
WITH SUTTER CARE AT HOME FOR HEALTH RELATED SERVICES
PROVIDED AT THE DISTRICT'S BI-ANNUAL BENEFITS FAIR AND
AUTHORIZE THE GENERAL MANAGER TO EXECUTE

A motion was made by Director Altieri, seconded by Director Santos, and unanimously supported to approve the General Services Agreement 2017-GSA-008 with Sutter Care at Home for Health related services provided at the District's Bi-Annual Benefits Fair and authorize the General Manager to execute.

ITEM NO. 15
APPROVE WORK RELEASE NO. 068 TO PROFESSIONAL SERVICES
AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR
PROFESSIONAL SERVICES TO PROVIDE ENGINEERING SERVICES FOR
BRIDGE FOOTINGS ON THE COMETA LATERAL THROUGH APN: 002-009-022

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve Work Release No. 068 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to provide engineering services for bridge footings on the Cometa Lateral through APN: 002-009-022.

ITEM NO. 16
APPROVE AMENDMENT NO. 07 TO PROFESSIONAL SERVICES
AGREEMENT 2009-PSA-004 WITH DAMRELL, NELSON,
SCHRIMP, PALLIOS, PACHER & SILVA TO ADD ADDITIONAL STAFF

This item was pulled from the agenda and will be discussed at the next Board Meeting.

ITEM NO. 17
APPROVE ENCROACHMENT PERMIT ON THE LOWER COMETA LATERAL
(APN: 002-008-044 – THE JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE
TRUST DATED MAY 7, 2008, JOSEPH P. BRICHETTO, JOHN M. BRICHETTO TRUST)

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the Encroachment Permit on the Lower Cometa Lateral (APN: 002-008-044 - The John and Jacqueline Brichetto 2008 Revocable Trust Dated May 7, 2008, Joseph P. Brichetto, John M. Brichetto Trust).

The above Consent Items, with the exception of Item No. 4 passed 4-0 by the following vote:

Ayes:	Directors, Webb, Doornenbal, Santos, Altieri
Noes:	None
Absent:	None

ITEM NO. 19
APPROVE NOTIFICATION AGREEMENT ON THE
HIRSCHFELD PIPELINE (APN: 027-320-09 – PACIFIC GAS & ELECTRIC)

Director Doornenbal recused himself from voting on this item.

A motion as made by Director Santos and seconded by Director Altieri to approve the Notification Agreement on the Hirschfeld Pipeline (APN: 027-320-09 – Pacific Gas & Electric), and was voted as follows:

Ayes: Directors Webb, Santos, Altieri
Noes: None
Absent: None

The motion passed by 3-0 vote.

CONSENT CALENDAR
ITEM NOS. 5, 6, 7, 8, 10, 11, 13, 14, 18

ITEM NO. 5
APPROVE IMPROVEMENT
DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 6
APPROVE ASSIGNMENT OF
CAPITAL WORK ORDER NUMBERS

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

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Burnett Lateral	Remove and replace a 5'x7' precast MBI structure equipped with 1-12" starter coupler, 1-12"x9' Fresno 101C slide gate, 40'-12" 100 PSI PIP PVC, and 1-stilling well assembly. (APN: 006-090-001)	\$12,600	2017-027
Kearney Lateral	Remove and replace a 5'x7' precast MBI structure equipped with 1-18" starter coupler, 1-18"x9' Fresno 101C slide gate, 44'-18" 100 PSI PIP PVC, and 1-stilling well assembly. (APN: 010-073-003)	13,300	2017-028
Lower Cometa Lateral	Installation of 1-5'x6' precast MBI turnout structure equipped with 1-21" starter coupler, 1-21"x9' Fresno 101C slide gate, 1-21" 100 PIP PVC, and 1-stilling well. (APN: 002-001-054)	14,700	2017-029

River Road Pipeline	Remove and replace 1-16"x13'6" Fresno 101C slide gate. (APN: 006-011-003)	4,800	2017-030
Mootz Lateral	Installation of 1-5'x6' precast MBI turnout Structure, 1-15" coupler, 20'-15" 100 PIP PVC, 1-stilling well, and misc. appurtenances. (APN: 063-029-019)	13,600	2017-031

ITEM NO. 7
APPROVE TREASURER AND CHIEF FINANCIAL OFFICER'S REPORT FOR THE MONTH ENDING JULY 31, 2017

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

ITEM NO. 8
APPROVE PURCHASE OF REPLACEMENT NETWORK COMPUTERS

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

ITEM NO. 10
APPROVE OAKDALE EDUCATIONAL FOUNDATION'S CONTRIBUTION REQUEST

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

ITEM NO. 11
APPROVE REJECTION OF CLAIM SUBMITTED BY RYAN WILLIAMS

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve rejection of the Claim submitted by Ryan Williams and to forward it to ACWA/JPIA for handling.

ITEM NO. 13
APPROVE WORK RELEASE NO. 001 TO PROFESSIONAL SERVICES AGREEMENT 2016-PSA-003 WITH FEDAK & BROWN LLP FOR AUDITING SERVICES FOR THE IMPROVEMENT DISTRICTS FOR 2017 AND 2018

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve Work Release No. 001 to Professional Services Agreement 2016-PSA-003 with Fedak & Brown LLP for Auditing Services for the Improvement Districts for 2017 and 2018.

ITEM NO. 14
APPROVE WORK RELEASE NO. 031 TO GENERAL SERVICES
AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR
CUTTING, BENDING AND PLACEMENT OF REBAR FOR TWO (2) EA.
STANDARD DROP STRUCTURES LOCATED ON THE BURNETT LATERAL

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve Work Release No. 031 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for cutting, bending and placement of rebar for two (2) ea. standard drop structures located on the Burnett Lateral.

ITEM NO. 18
APPROVE DEFERRED CONDITIONS OF APPROVAL
AGREEMENT (APNS: 014-020-006/007 – DWB BOERSMA II, L.P.,
THE JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE TRUST
DATED MAY 7, 2008, JOHN M. BRICHETTO AND JOSEPH P. BRICHETTO)

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the Deferred Conditions of Approval Agreement (APNS: 014-020-006/007 – DWB Boersma II, L.P., the John and Jacqueline Brichetto 2008 Revocable Trust Dated May 7, 2008, John M. Brichetto and Joseph P. Brichetto).

ACTION CALENDAR
ITEM NOS. 20, 22, 23, 24

ITEM NO. 20
REVIEW AND TAKE POSSIBLE ACTION TO
MAKE SURFACE WATER AVAILABLE IN OCTOBER 2017

A motion was made by Director Webb, seconded by Director Santos, and unanimously supported to make surface water available in October until the 27th.

The motion passed 4-0 by the following vote:

Ayes:	Directors, Webb, Doornenbal, Santos, Altieri
Noes:	None
Absent:	None

ITEM NO. 22
REVIEW AND TAKE POSSIBLE ACTION ON ISSUANCE OF A
“WILL SERVE LETTER” FOR THE PROPOSED FAIRWAY 7 SUBDIVISION

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve the issuance of a “Will Serve Letter” for the proposed Fairway 7 Subdivision.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: None

ITEM NO. 23
REVIEW AND TAKE POSSIBLE ACTION TO CONSOLIDATE THE BOARD OF DIRECTORS' ELECTIONS FROM ODD-NUMBERED YEARS TO EVEN NUMBERED YEARS TO BE HELD WITH THE GENERAL ELECTION

This item was tabled to get more clarification and be brought back to the next Board Meeting.

ITEM NO. 24
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RENEWAL OF 2017/2018 HEALTH INSURANCE

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve renewal of 2017/2018 health insurance.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: None

DISCUSSION ITEM
ITEM NO. 26

ITEM NO. 26
DISCUSSION ON HOW THE SALE OF SURPLUS WATER HAS BENEFITED THE UNDERGROUND AQUIFER AND INCREASED WATER SUPPLIES LOCALLY

General Manager Steve Knell gave a PowerPoint Presentation on this discussion item.

COMMUNICATIONS
ITEM NO. 27

A. GENERAL MANAGERS REPORT

General Manager Steve Knell reported on various operations of the District.

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

B. COMMITTEE REPORTS

There was a Personnel Committee Meeting held on August 29, 2017 to discuss renewal of 2017/2018 health insurance. This item was previously discussed on the agenda as an Action Item.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Doornenbal

Director Doornenbal discussed SGMA and the fact that it is real, is going to change how we do things, and no one is exempt from it. We need to be working together with other agencies. SGMA will affect the City of Oakdale. He discussed the 10,000 AF of water that the District has set aside for the City of Oakdale and how the South San Joaquin Irrigation District and the Modesto Water Treatment plants have expressed an interest in providing treated water to the City of Oakdale. If SSJID can build a pipeline to Tracy and Manteca they can build a pipeline to Oakdale. It is important that the District start looking at providing this water to the City which would help the District use more of its surplus water locally.

Director Altieri

Director Altieri thanked everyone for attending the meeting today.

Director Santos

Director Santos stated that she was happy to see that there were video cameras at the meeting. She also stated that she was disappointed that there was no information provided to the Board on the failure of the Knights Ferry Town Pipeline to the water treatment plant in Knights Ferry. Director Santos also encouraged the Board to move ahead and reconsider the donation requests of the Oakdale Joint Unified School District School Farm Project and the City of Oakdale Community Pool. She would like this to go to the Finance Committee and then to the full Board for reconsideration. Director Santos also thanked Mr. Grover, Mr. DeBoer, and Mr. Orvis on their running for election this year. She said that the water year is coming to an end and it has been bumpy for some and smooth sailing for others. Director Santos ended her comments with, "Let's communicate and not litigate."

Director Webb

Director Webb stated that he was embarrassed by the actions of the Board at the last Board meeting. There were two weeks between meetings during which Directors could have done their homework before we brought back people to talk about the donations they would be receiving. They didn't do that. So yeah, I was embarrassed by that and the way this whole thing went down and you're not going to change that.

A member of the public, Robert Frobose, commented on Closed Session C.

At the hour of 11:05 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION **ITEM NO. 28**

- A. *Government Code §54956.8 Conference with Real Property Negotiator***
Negotiating Parties: OID and Bobby Goad
Property: APN: 064-032-001
Under Negotiations: Price and terms

- B. *Initiation of Litigation §54956.9(d)(4)***
Two (2) Cases

C. 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

At the hour of 11:45 a.m. the meeting returned to open session.

Coming out of Closed Session it was reported that by a vote of 4-0 the Board approved the Purchase and Sale Agreement of Real Property and authorized the General Manager to execute the agreement and make any non-substantive changes, if necessary, to the agreement.

ACTION CALENDAR

ITEM NO. 25

ITEM NO. 25

**REVIEW AND TAKE POSSIBLE ACTION FOLLOWING CLOSED
SESSION TO APPROVE GENERAL SERVICES AGREEMENT**

**2017-GSA-002 WITH BOVEE ENVIRONMENTAL MANAGEMENT, INC.
FOR INSPECTION SERVICES AND AUTHORIZE GENERAL MANAGER TO EXECUTE**

A motion as made by Director Doornenbal, seconded by Director Webb and unanimously approved to approve the General Services Agreement 2017-GSA-002 with Bovee Environmental Management, Inc. for inspection services and authorize the General Manager to execute.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: None

OTHER ACTION

ITEM NO. 18

The meeting adjourned at the hour of 11:48 a.m. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, September 19, 2016 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 **September 21, 2016 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

Steve Webb, President

Attest:

Steve Knell, P.E., Secretary