

## **MINUTES**

Oakdale, California  
October 18, 2005

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: Frank B. Clark, President  
Louis Brichetto arrived at 9:02 a.m.  
Tony Taro  
Jack D. Alpers  
Steve Webb

Staff Present: Steve Knell, P.E., General Manager/Secretary  
Kathy Cook, Chief Financial Officer  
Gary Jernigan, Support Services Manager

### **ADDITION OR DELETION OF AGENDA ITEMS**

None.

### **ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE**

Director Clark requested that Discussion Item No. 18 to be heard first on the Action Calendar. A motion was made by Director Webb, seconded by Director Taro, and unanimously supported to move Discussion Item 18 to be heard first on the Action Calendar.

General Manager, Steve Knell, requested that a change be made to Item No. 10 which states "Riverbank Pipeline," to state "Chappel Pipeline." The Agenda Report is correct, but the Agenda Item description is incorrect.

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

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

Mr. Henry Burtschi asked to reserve his public comment for Item No. 12 on the Action Calendar.

Public Comment was closed at 9:02 a.m. and the Board Meeting continued.

**CONSENT ITEMS**  
**ITEM NOS. 2, 4, 5, 6, 7, 8, 9, 10**

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTOR'S MINUTES OF THE**  
**REGULAR MEETING OF OCTOBER 4, 2005 AND**  
**RESOLUTION NOS. 2005-31 and 2005-32, AND 2005-33**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Board of Director's Minutes of the Regular Meeting of October 4, 2005 and Resolution Nos. 2005-31 and 2005-32, and 2005-33.

**ITEM NO. 4**  
**APPROVE IMPROVEMENT DISTRICT**  
**STATEMENT OF OBLIGATIONS**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve Improvement District Statement of Obligations.

**ITEM NO. 5**  
**APPROVE THE TREASURER AND CHIEF FINANCIAL**  
**OFFICER'S REPORT FOR THE MONTH ENDING SEPTEMBER 30, 2005**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the Month Ending September 30, 2005.

**ITEM NO. 6**  
**APPROVE RENEWAL OF VISION**  
**SERVICE PLAN INSURANCE COVERAGE**

A motion was made by Directors Alpers, seconded by Director Webb, and unanimously supported to approve the renewal of vision service plan insurance coverage.

**ITEM NO. 7**  
**APPROVE GENERAL SERVICES CONTRACTS**  
**FOR VARIOUS VENDORS AND CONTRACTORS**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the General Services Contracts for various vendors and contractors.

**ITEM NO. 8**  
**APPROVE ENCROACHMENT AGREEMENT ON THE ID 49**  
**DOMESTIC WATER LINE (APN: 064-034-019 – REED)**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the ID 49 Domestic Water Line (APN: 064-034-019 0 Reed).

**ITEM NO. 9**  
**APPROVE ENCROACHMENT AGREEMENT ON THE ADAMS**  
**LATERAL NO. 2 (APN: 010-039-033 – KAPLAN)**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the Adams Lateral No. 2 (APN: 010-039-033 – Kaplan).

**ITEM NO. 10**  
**APPROVE ENCROACHMENT AGREEMENT ON THE**  
**CHAPPEL PIPELINE (APN: 229-014-012 – GREEN)**

A motion was made by Director Alpers, seconded by Director Webb, and unanimously supported to approve the Encroachment Agreement on the Riverbank Pipeline (APN: 229-014-012).

**ACTION ITEMS**  
**ITEM NOS. 3, 18, 11, 12, 13, 14, 15**

**ITEM NO. 3**  
**APPROVE OAKDALE IRRIGATION**  
**DISTRICT STATEMENT OF OBLIGATIONS**

Director Brichetto had a question concerning the \$29,344.52 payment to Richard Townsend Construction. General Manager Steve Knell stated that the check has been written but has not been forwarded to Richard Townsend Construction because he has not accepted the settlement. The General Manager stated that the RTC settlement will be discussed/explained in Closed Session. Director Brichetto also had a question regarding the payment to Johnson Western Gunitite in the sum of \$34,571.76. General Manager Steve Knell stated that the Board had agreed on this settlement at the last Board Meeting.

Thereafter, a motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Oakdale Irrigation District Statement of Obligations.

**ITEM NO. 18**  
**PRESENTATION AND DISCUSSION ON**  
**"WHAT WE'VE LEARNED" ON THE WATER RESOURCES PLAN**

General Manager Steve Knell gave a Power Point presentation on "What We've Learned" on the Water Resources Plan.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION ON A**  
**RESOLUTION FOR CHARGES RELATED TO IRRIGATION**  
**WATER SERVICE FOR THE YEAR 2006**

The State of California Water Code, Section 22283, provides that the District prescribe reasonable rules and regulations to carry out the provisions of Section 22280 et. seq. Annually, these rules and regulations are reviewed and adopted by the Board.

Item no. 9 has been added to establish a \$40 fee for those customers that wish to make their payment to the District after their delinquency has been sent to the county. The county charges the District \$30 to remove the delinquency from the tax rolls; the additional \$10 will cover District staff time to process the payment.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the Resolution for Charges Related to Irrigation Water Services for the year 2006.

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION ON A**  
**RESOLUTION SETTING WATER DELIVERY FEES**  
**FOR THE YEARS 2006**

The attached resolution is submitted to set the water rates for 2006. The resolution reflects the following:

- Anticipated no water rate increases.
- Installment due dates:
  - (1) Monday December 20, 2005
  - (2) Monday June 20, 2006

Mr. Henry Burtschi stated that he would like to petition the Board to not accept the rates currently before the Board for approval, but to lower the rates for the 2006 water season by at least \$10 per acre based on the fact that the Tri-Dam Project has finally paid off. He stated that he felt that there would be ample money left over to gradually improve the older parts of the system without lowering the reserves or borrowing money, but OID has to concentrate on and do a lot more in house projects.

Thereafter a motion was made by Director Brichetto, seconded by Director Alpers and unanimously supported to approve the Resolution Setting Water Delivery Fees for the Years 2006.

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION ON A**  
**RESOLUTION SETTING AG WATER SYSTEM IMPROVEMENT DISTRICT**  
**OPERATION AND MAINTENANCE CHARGES**  
**AND OTHER RELATED CHARGES FOR THE YEAR 2006**

Staff sent letters to all landowners of each Ag water system improvement district during the month of September. The attached resolution provides for setting 2006 ID Operation and Maintenance (O&M) rates. It is anticipated that these O & M rates are sufficient to cover the current year's anticipated expenditures, as well as next year's anticipated expenditures.

A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve the Resolution Setting Ag Water System Improvement District Operation and Maintenance Charges and Other Related Charges for the Year 2006.

**ITEM NO. 14**  
**REVIEW AND TAKE POSSIBLE ACTION ON REPLACING**  
**A SECTION OF THE ERLANGER PIPELINE (KAMPER)**

The Board discussed this matter at their October 4, 2005 Board Meeting. From this discussion, Staff was requested to prepare a cost for the repair/replacement of that section of the Erlanger Pipeline to solve the leak problems. Staff analyzed the cost and various solutions and has prepared the following options for consideration.

There are several solutions to Mr. Kamper's problem; however some solutions could cause more problems, which will be discussed with the Board. The least expensive solution would be to replace the 660 linear feet of 20-inch RCP between the last box on the Workman Pipeline and the first box upstream on the Erlanger. The leaks on Mr. Furtado's property would continue but the solution would eliminate any leaks on Mr. Kamper's property.

The attachment presents four (4) possible solutions. The costs range from approximately \$32,000 to \$255,000. Option #3 would be the preferred choice which would require a minimum of \$237,000 or about a quarter of the 2006 budget to benefit these two (2) landowners.

After discussion, a motion was made by Director Brichetto and seconded by Director Taro, and unanimously supported to replace a section of the Erlanger Pipeline as set forth in Case No. 2 and discuss this project again next year to see if we can complete it as outlined in Case No. 3.

**ITEM NO. 15**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**SETTING A PAYMENT SCHEDULE FOR**  
**RICK AMORE FOR THE TOWN C PIPELINE**

On September 9, 2005 the District sent Mr. Amore a notice that the charges invoiced on June 18, 2004 for the pipeline relocation at 721 River Road were to be placed on the

County Tax Rolls for collection if not paid by September 30, 2005. Mr. Amore has submitted a request to allow for a payment schedule as follows:

Initial payment 9/30/05: \$2,000 (payment received)  
Thereafter: \$1,000 per month until paid in full

A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve setting a payment scheduled for Rick Amore for the Town C Pipeline.

**DISCUSSION ITEM**  
**ITEM NO. 16, 17**

**ITEM NO. 16**  
**DISCUSSION ON THE STEWART POND**  
**(APN: 010-029-005)**

The Water Committee (Brichetto, Webb) met at the Stewart/Thompson Pond site with landowner Scott Balch and OID management (Knell, Jernigan). The consensus after the meeting was to clean out the inlet to the pump; pump the pond down and then revisit the site for an evaluation. Committee members may wish to discuss other aspects of the meeting.

**ITEM NO. 17**  
**DISCUSSION ON BUSINESS ITEMS AS THEY APPEAR**  
**ON THE TRI-DAM AGENDA FOR THURSDAY, OCTOBER 20, 2005**

The Board agreed that there were no strategic items on the Tri-Dam Agenda for Thursday, October 20, 2005, that needed to be discussed prior to the meeting.

At the hour of 10:13 a.m. a motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to move to Closed Session.

**CLOSED SESSION**  
**ITEM NO. 19**

Closed Session to discuss the following:

**A. Government Code §54956.9 Existing Litigation**

- |                                       |                   |
|---------------------------------------|-------------------|
| (1) <i>Fields</i>                     | (4) <i>RTC</i>    |
| (2) <i>Goad</i>                       | (5) <i>Cahoon</i> |
| (3) <i>Banducci v. Fields, et al.</i> |                   |

At the hour of 10:26, a motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to move to Open Session.

It was reported by Director Clark that in Closed Session the General Manager was instructed to forward the Settlement Agreement and Mutual Release to Richard Townsend Construction, dba RTC.

**COMMUNICATIONS**  
**ITEM NO. 15**

**A. GENERAL MANAGER'S REPORT**

The General Manager reported on the following matters:

1. Stockton East Water District is attempting to transfer water to the Semi Tropic Irrigation District in Kern County. They bank groundwater for their constituents down there. This type of transfer is allowed under the terms of our Transfer Agreement with SEWD as long as they follow certain elements identified in the agreement. If they transfer water at a higher rate than what they are buying it for the Districts share fifty percent (50%) of that difference. However, Stockton East Water District is not following the requirements of the agreement and there has been an exchange of words between our water counsel and Stockton East Water District. Unless they follow the agreement we are not interested and therefore it is not going to happen.
2. The North Dudley Pipeline has failed and we are going to replace that this year. This is an unbudgeted item.
3. The Chief Financial Officer, Kathy Cook attended the Special Districts Finance Seminar and there was a lot of discussion regarding the ERAF and the fact that it may continue.

**B. COMMITTEE REPORTS**

There were no committee reports.

**C. DIRECTORS' COMMENTS/SUGGESTIONS**

Director Alpers

Director Alpers stated that he was contacted by Jim Mangante about our Knights Ferry contracts along that ditch. Director Alpers would like a report at the next meeting of how that system operates. Mr. Mangante has been notified that he will not be receiving water because they will be doing tunnel repair work and he is concerned. Director Alpers stated that we need some ideas to see if there is a reasonable solution to the problem.

Director Webb

None.

Director Clark

None.

Director Brichetto

None.

Director Taro

None.

**OTHER ACTION**  
**ITEM NO. 21**

At the hour of 10:38 a.m. a motion was made by Director Brichetto, and seconded by Director Alpers, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, November 1, 2005 at 9:00 a.m.** at the Oakdale Irrigation District Office, 1205 East F Street, Oakdale, CA 95361.

The next **regular Joint Board Meeting for the Tri-Dam Project** is scheduled for **Thursday, October 20, 2005 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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Frank B. Clark, President

Attest:

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Steve Knell, P.E., Secretary