

## **MINUTES**

Oakdale, California  
November 5, 2002

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:            Jack Alpers  
                         Louis Brichetto  
                         Frank Clark  
                         Tony Taro  
                         Steve Webb

Staff Present:        Steve Knell, General Manager  
                         Bob Nielsen, Supervisor of Field Operations  
                         Wayne Truhett, Supervisor of Facilities and Rights-of-Way  
                         Mike Evans, Watermaster  
                         Kathy Cook, Chief Financial Officer

Director Alpers advised the public and staff present that in the future all Agenda Items would be discussed between the Board and staff before public comments would be heard.

### **PUBLIC COMMENT**

Mr. Ken Krause asked the status of the Hershey contract negotiations. General Manager Steve Knell commented that the Hershey response to our draft agreement has been forwarded to Michael Ijams, Esquire at Curtis & Arata for his review and comments. After that has been completed, it is anticipated that informal meetings will be set up between management at the local Hershey facility and management at Oakdale Irrigation District.

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

There were no additions or deletions of agenda items.

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

A motion was made by Director Webb, seconded by Director Brichetto and unanimously supported to move Agenda Items 3, 5, and 8 to the action calendar.

## COMMUNICATIONS

### ITEM NO. 1A. GENERAL MANAGER'S REPORT

OID Picnic: The OID Employee Picnic was held on October 26, 2002 at Kerr Park. Thanks were given to Joe and Mimi Fos, Bob Nielsen, Lee Scully, Carla Lilly and Dawn Wilhelm for their efforts at cooking, activities for the families and everything involved in putting this together. Feedback from the employees has been excellent and they look forward to the picnic next year.

NWRA (National Water Resource): Has predicted a moderate El Nino year.

ACWA/JPIA: John Haaf will be at OID on Wednesday to conduct classes for Managers and Supervisors for the Supervisors Certification Program. On Thursday John Haaf will conduct the Confined Space Training for the Construction and Maintenance and Dichtender staff.

Waterman Industries: Visited Rodden Dam to determine estimate for gate change-out. Representatives indicated a 120-day delivery time due to fabrication.

### ITEM 1B. GENERAL COUNSEL'S REPORT

General Counsel Michael Ijams of Curtis & Arata reported the following:

#### Litigation Matters

OID vs. Cantal: Jack Jacobson of Curtis & Arata is handling this matter and the Plaintiffs have recently changed attorneys. Depositions of OID personnel had been scheduled but were cancelled by the Plaintiffs. The attorneys are attempting a conference to discuss possible settlement.

#### Property Matters

Reen: Mr. Reen has hired a Modesto attorney. Michael Ijams and Steve Knell are to meet to discuss resolution of this matter. This matter may be resolvable without litigation.

Batezell: It was originally thought that there was an easement for agricultural purposes on the Adams Lateral II. Mr. Batezell has a Sonora attorney, Kate Segerstrom.

Kelting: Encroachment on the Dixon Pipeline. The Keltings have an attorney and are in the process of reviewing the encroachment permit before signing. We are working with them to resolve this issue.

### **Contract Matters**

ORFD: Michael Ijams toured the area with Bob Nielsen to get a look at operational issues. The cost for this JPA should be born by ORFD as it benefits them and not OID.

Public Contracts Form: We will review the form when given to us and provide language changes so that the document can be utilized as a generic contract document for multiple purposes.

Hershey: We are in the process of reviewing the contract and changes made by Hershey.

### **Labor/Employment Matters**

Labor and employment matters can be discussed during a closed session. However, Katherine Boyd of Curtis & Arata has been working with OID staff regarding the current labor negotiations for 2003.

### **Miscellaneous Matters**

Parades: An opinion letter has been sent to OID and OID staff is preparing this for the Boards' review at the next Board of Directors Meeting.

Employee Functions: We were asked to provide an opinion as to possible liability issues relating to employee functions. We are researching this and will provide an opinion shortly.

## **ITEM 1C. DIRECTORS' COMMENTS/SUGGESTIONS**

Director Taro: Questioned the procedures for moving of dirt regarding the loading of trucks and why so many are lined up waiting. Director Webb questioned whom Director Taro had talked to regarding this. Bob Nielsen responded that they were following normal procedures and it was not a waste of time. Director Taro stated that he would meet with Bob Nielsen after the Board meeting regarding the personnel issues.

Director Brichetto: Director Brichetto reported that he had attended a San Joaquin River Group Authority meeting in Turlock with General Manager Steve Knell. The fees of \$75,000 were approved, however, an additional fee may be required for water quality issues.

Director Webb: Director Webb thanked the Water Department and staff for the fine job they did during the water season that just ended.

Director Alpers: Director Alpers announced that General Manager Steve Knell would be out of the office for vacation on Wednesday, November 27, 2002. The office is closed on Thursday, November 28 and November 29, 2002 for the Thanksgiving holiday. The Board asked who would be in charge while the General Manager is gone and Steve Knell advised that each Departmental Manager is responsible for their own area.

**CONSENT CALENDAR  
ITEM NO. 2, 4, 6, 7, 9**

**ITEM NO. 2  
APPROVE THE BOARD OF DIRECTORS' MINUTES OF  
REGULAR MEETING OF OCTOBER 15, 2002**

A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve the Board of Directors' Minutes of the regular meeting of October 15, 2002.

**ITEM NO. 4  
APPROVE TEMPORARY INCREASE IN  
STOCK OF WATERMAN GATES**

Since the non-irrigation season began, the District has focused on canal and lateral gate inspections and replacements. Purchasing larger quantities of gates more economically addresses this issue. A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve a temporary increase in stock of Waterman Gates.

**ITEM NO. 6  
APPROVE ISSUANCE OF CONDITIONAL "WILL SERVE LETTER"  
FOR THE HILLSBOROUGH 1A SUBDIVISION**

The developer, Mr. Bruce Boese has requested a "Will Serve Letter" for an eight (8)-lot subdivision that is to be constructed at the Northeast corner of OID'S Rural Water System #1. A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve issuance of a conditional "will serve letter" for the Hillsborough 1A Subdivision.

**ITEM NO. 7**  
**APPROVE CLOSING CAPITAL PROJECT WORK ORDER #0240**  
**RANEY RECLAMATION PUMP REPLACEMENT**

Staff recommendation was made to close Work Order #0240 and transfer funds from the designated Capital Improvement Fund to the General Fund for the replacement of the Raney Reclamation Pump. A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve closing Capital Project Work Order #0240 – Raney Reclamation Pump replacement.

**ITEM NO. 9**  
**APPROVE PURCHASE OF RECEPTION AREA DESK**

The District has budgeted \$25,000 for painting and carpeting of the office area. After re-evaluation of the best use of these funds, it is recommended that the Board approve a modest remodeling of the front office to provide for a more efficient reception area. A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve the purchase of a reception area desk.

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

After discussion of the Sierra Railroad obligation for railroad crossing permits it was determined that further investigation of these charges would be made. A motion was made by Director Clark, seconded by Director Webb, and unanimously supported to delete the Sierra Railroad obligation for railroad crossing permits in the amount of \$6,000.00 and approve the remaining Oakdale Irrigation District's Statement of Obligations.

**ITEM NO. 5**  
**APPROVE REPLACEMENT OF**  
**SNEDIGAR DRAIN ROAD CROSSING**

The Snedigar Drain road crossing on Pocket Avenue in Riverbank collapsed. Emergency repairs are to be coordinated and implemented with the City of Riverbank and the work is to be completed by R & R Construction. A motion was made by Director Brichetto, seconded by Director Webb, and unanimously supported to approve the replacement of Snedigar Drain Road Crossing.

**ITEM NO. 8**  
**APPROVE CAPITAL PROJECT**  
**REPLACEMENT OF THE TOWN "C" PIPELINE**

Two-hundred and twenty feet (220') of the Town "C" Pipeline on Kimball Street has failed and needs replacing if the pipeline is to remain in active service. The replacement would involve digging up of 220 feet of paved roadway, removing and hauling off of the old steel pipe, and repaving the roadway. Costs have been estimated for pipeline replacement only, as it is assumed that irrigation structures at both ends of the pipeline are in good operating condition. The estimated cost for pipeline replacement is \$9,900.00.

No action was taken on this Agenda Item. The Board concurred that this item is to be placed on the November 19, 2002 Agenda as a Discussion Item.

**ITEM NO. 10**  
**REVIEW AND TAKE POSSIBLE ACTION ON THE**  
**DISTRICT'S ACCEPTANCE OF THE STODDARD LATERAL**

At the February 19, 2002 Board Meeting, the Board approved the extension of its' obligation as it related to the Stoddard Lateral. That obligation was the acceptance of 1,000 feet of open ditch south of Warnerville Road, and through Mr. Jerry Nation's property. Since that Board action, OID has acquired the necessary easements from Mr. Nation to assume the operation and maintenance of this facility. OID has installed a gate, removed dead trees, and cleaned the ditch.

Mr. Nation believes that his giving of the easements carried with it an obligation for OID to pipeline this facility through his property. The Minutes and recordings of the February 19, 2002 meeting reflect that the Board of Directors approved no such action.

A motion was made by Director Clark, seconded by Director Brichetto and unanimously supported that District staff make another site visit to Mr. Jerry Nation's property and bring back their findings for Board consideration at the November 19, 2002 Board of Directors' Meeting.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**CONTRACT WITH CONDOR GEO-TECH**

Condor Geo-Tech was contacted and requested to provide a Scope of Work and cost proposal for a phased review and inspection of OID'S North and South Main Canals and the tunnels serving those facilities. Condor Geo-Tech was selected for this work due to their local presence, their familiarity with the geological formations within the Stanislaus

River and past work with Tri-Dam projects. A motion was made by Director Webb, seconded by Director Taro, and unanimously supported to approve Phase I of the Condor Geo-Tech proposal. After completion of Phase I the Board is to revisit the possibility of Phase II with inclusion of more definitive costs for Phase II.

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION TO**  
**AMEND THE 2002 CAPITAL BUDGET**

Approximately \$1,000,000 was not included in the 2002 capital budget for the Robert Van Lier Regulating Reservoir, which was initiated in 2002 and carried over into 2002. A recommendation is made by staff to amend the 2002 budget to reflect completed projects to date and projects that are anticipated to be completed before 2003. A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to Amend the 2002 Capital Budget.

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**DIRECTION OF OID AS IT RELATES TO ANNEXATION**

Staff was requested to include an Action Item for the November 5, 2002 Board Meeting relating to Annexation. After discussion, the Board concurred that the General Manager is to get information relative to acreage, commodities being grown, and annexation processing steps. This item is to be included on the November 19, 2002 Board of Directors' Meeting Agenda. No Action Taken.

**DISCUSSION ITEM**  
**ITEM NO. 14**  
**DISCUSSION OF NEEDS AND ADVANTAGES OF**  
**ESTABLISHING AN ADDITIONAL EARTH BORROW SITE**

The General Manager had previously discussed with the Board the advantages of purchasing property and establishing an additional earth borrow site in or around OID'S Northwest service area. Currently, OID has only one earth borrow site located in the southeastern location of its' service area. If sites were located at strategic locations, such that the resultant void from the excavations could become reservoir space, for irrigation or reclamation purposes, added value and purpose could make the land purchase concept even more attractive. Presented in OID'S Draft 2003 Capital Budget is a series of Access Reclamation Projects, which, if approved, would require 60,000 cubic yards per year of fill material. The Board gave the go-ahead to proceed with this process.

**ITEM NO. 15**  
**DISCUSSION OF DIRECTION FOR**  
**PREPARING THE 2003 BUDGET**

Prior to proceeding with the completion of the Draft Final Budget for 2003, staff needs direction from the Board in the area of capital expenditures. After meeting the District's operations and maintenance labor needs there is sufficient remaining labor available to practically complete between \$1-\$1.25 million dollars in capital construction. Beyond this commitment, substantial outside contracting would be required. Additionally, and more importantly, beyond this commitment, expenditures would exceed revenue income and reserves would need to be called upon. Staff needs direction from the Board as to the extent of that action before it can complete the budgeting process.

A Finance Committee meeting was held on Monday, November 4, 2002. At the conclusion of that meeting another Finance Committee meeting was scheduled for Tuesday, November 12, 2002 to review the Draft 2003 Budget. The Committee will report to the Board their findings from those meetings at the November 19, 2002 Board of Directors' Meeting.

**CLOSED SESSION**  
**ITEM NO. 18**

- A. **GOVERNMENT CODE SECTION 54957.6** – Discussion of Salary and Benefits.

Consultant Bill Smith updated the Board regarding the 2003 union negotiations.

At the hour of 11:40 A.M., a motion was made by Director Taro, seconded by Director Webb and unanimously supported to adjourn to the next **regular Board of Directors meeting** to be held on **Tuesday, November 19, 2002 at 9:00 A.M. at the Oakdale Irrigation District Office, 1205 East "F" Street, Oakdale, Ca.**

The next regular **Joint Board Meeting** for the **Tri-Dam Project** is scheduled for **November 14, 2002 at 9:00 A.M. in Manteca.**

Attest:

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Steve Knell  
Secretary