

MINUTES

Oakdale, California
November 3, 2015

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. The following Directors were present:

Directors: Steve Webb, President
Herman Doornenbal, Vice President
Frank Clark
Al Bairos, Jr.
Gary Osmundson

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

Also Present: James A. Oliveira, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

General Manager Steve Knell stated that he would like to add the following Closed Session Item that was received too late for the Agenda in order to receive direction from the Board on this matter:

- C. Government Code §54956.8** Conference with Real Property Negotiator
- Negotiating Parties: OID and Cal Fish & Wildlife and National Marine
Fishery Service
- Property: Water
- Under Negotiations: Terms on a Stanislaus River settlement

A motion was made by Director Bairos, seconded by Director Doornenbal, and unanimously supported to add Closed Session Item C as outlined above.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:00 a.m. the Board welcomed public comment.

PUBLIC COMMENT
ITEM NO. 1

Robert Frobose, who resides at 4333 Claus Road, Modesto, California was present and asked if before you go into closed session on Steve Knell's review, are you going to allow the public to comment. Director Webb stated yes.

Ken Krause, who resides on Wamble Road was present and stated that he personally does not understand how OID could vote on a water sale at a Tri-Dam Meeting which is not on the Agenda. He further stated that he felt that it is illegal to vote on anything for OID out of the District.

Tom Orvis, of Stanislaus County Farm Bureau was present and stated that members of SJWQ Coalition have a meeting at MJC Ag Pavilion this Thursday. He also wished everyone good luck in the upcoming election.

There being no further public comment, public comment closed at 9:03 a.m.

CONSENT ITEMS
ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 10

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES OF
THE REGULAR MEETING OF OCTOBER 20, 2015 AND
RESOLUTION NOS. 2015-80, 2015-81, 2015-82, 2015-83,
2015-84, 2015-85, 2015-86, 2015-87, 2015-88, 2015-89 AND 2015-90

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of October 20, 2015 and Resolution Nos. 2015-80, 2015-81, 2015-82, 2015-83, 2015-84, 2015-85, 2015-86, 2015-87, 2015-88, 2015-89 and 2015-90

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

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

ITEM NO. 4
APPROVE ASSIGNMENT OF
CAPITAL WORK ORDER NUMBERS

A motion was made by Director Bairos, seconded by Director Clark, 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>
Riverbank Pipeline	Remove and upgrade 12" x 6' Fresno 101C slide gate. (APN: 062-024-008)	\$2,200	2015-047
Reed Pipeline	Remove and upgrade 24" x 24" Fresno 101C slide gate. (APN: 002-008-009)	\$4,800	2015-048
Albers 2 Pipeline	Remove and upgrade existing control structure with 5' weir, 30" x 12.5' Fresno 101C slide gate, ladder, hand railing, and grating. (APN: 014-006-004)	\$60,800	2015-049
Kuhn Lateral	Remove and upgrade existing structure with a 4' weir, 12" x 8' Fresno 101C slide gate, handrailing and grating. Install 5' x 6' MBI pre-cast structure w/ 15" x 8' gate and 5' x 6' pre-cast structure w. 18" x 8' gate. (APN: 014-016-020)	\$66,700	2015-050
Tulloch Lateral	Remove and upgrade existing structure with a 5' x 7' MBI turnout structure, 12" x 9' Fresno 101C slide gate, stilling well and 20' of 12" PVC pipe. (APN: 002-016-028)	\$10,800	2015-051

ITEM NO. 5

APPROVE AMENDMENT NO. 05 TO WORK RELEASE NO. 002 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-002 TO CH2M HILL FOR ADDITIONAL TECHNICAL SUPPORT FOR THE TWO-MILE BAR TUNNEL PROJECT

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to approve Amendment No. 05 to Work Release No. 002 to Professional Services Agreement 2009-PSA-002 to CH2M Hill for additional technical support for the Two-Mile Bar Tunnel Project.

ITEM NO. 6

APPROVE WORK RELEASE NO. 007 TO GENERAL SERVICES AGREEMENT 2013-GSA-032 TO NORTHERN STEEL, INC. FOR CUTTING, BENDING AND PLACEMENT OF REBAR FOR A STANDARD CONTROL STRUCTURE ON THE ALBERS NO. 2 PIPELINE STRUCTURE REPLACEMENT PROJECT

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to Approve Work Release No. 007 to General Services Agreement 2013-GSA-032 to Northern Steel, Inc. for cutting, bending and placement of rebar for a standard control structure on the Albers No. 2 Pipeline Structure Replacement Project.

ITEM NO. 7
APPROVE ENCROACHMENT PERMIT ON THE SOUTH MAIN CANAL
AND PAULSELL LATERAL (APN: 010-011-036 – PACIFIC GAS & ELECTRIC)

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to Approve Encroachment Permit on the South Main Canal and Paulsell Lateral (APN: 010-011-036 – Pacific Gas & Electric).

ITEM NO. 8
APPROVE AGRICULTURAL DISCHARGE PERMIT ON THE FAIRBANKS LATERAL
(APN: 002-008-044 – JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE
TRUST DATED MAY 7, 2008, JOHN M. BRICHETTO AND JOSEPH P. BRICHETTO)

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to Approve Agricultural Discharge Permit on the Fairbanks Lateral (APN: 002-008-044 – John and Jacqueline Brichetto 2008 Revocable Trust Dated May 7, 2008, John M. Brichetto and Joseph P. Brichetto).

ITEM NO. 9
APPROVE ENCROACHMENT PERMIT ON THE FAIRBANKS LATERAL
(APN: 002-008-044 – JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE
TRUST DATED MAY 7, 2008, JOHN M. BRICHETTO AND JOSEPH P. BRICHETTO)

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to Approve Encroachment Permit on the Fairbanks Lateral (APN: 002-008-044 – John and Jacqueline Brichetto 2008 Revocable Trust Dated May 7, 2008, John M. Brichetto and Joseph P. Brichetto).

The above Consent Items passed unanimously by the following vote:

Ayes:	Directors, Webb, Doornenbal, Clark, Bairos, Osmundson
Noes:	None
Absent:	None

ITEM NO. 10
APPROVE THE CONSTRUCTION OF A NEW CROSSING
AND THE EXTENSION OF AN EXISTING CROSSING IN EXCHANGE
FOR THE ACQUISITION OF AN EASEMENT FOR THE PALMER LATERAL
(APN: 014-047-008 – GARY B. AND AMY A. OSMUNDSON REVOCABLE TRUST)

A motion was made by Director Bairos, seconded by Director Clark, and unanimously supported to Approve the Construction of a New Crossing and the Extension of an Existing Crossing in Exchange for the Acquisition of an Easement for the Palmer Lateral (APN: 014-047-008 – Gary B. and Amy A. Osmundson Revocable Trust)

The above Consent Item passed unanimously by the following vote:

Ayes: Directors, Webb, Doornenbal, Clark, Bairos
Abstain: Director Osmundson
Noes: None
Absent: None

**ACTION ITEMS
NOS. 11, 12, 13, 14**

ITEM NO. 11

REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION OF APPLICATION BY THE OAKDALE IRRIGATION DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE FRINGE PARCELS ANNEXATION CHANGE OF ORGANIZATION TO THE OAKDALE IRRIGATION DISTRICT (APNS: SEE ATTACHED)

In 2012, as part of an effort to address irrigation service issues along the fringe boundaries, the Oakdale Irrigation District (OID) offered a group of Fringe Parcels the opportunity to annex into the District. This was the first step in processing a Change of Organization to the OID that will include the annexation of nine (9) fringe parcels all situated within Stanislaus County and the existing OID Sphere of Influence. A Notice of Determination was filed with the Stanislaus County Clerk on April 29, 2015 declaring that this proposed annexation will not have a significant effect on the environment and that a Negative Declaration was prepared for this project pursuant to the provisions of the California Environmental Quality Act (CEQA). The next step in this process is to submit a Resolution of Application to the Stanislaus Local Agency Formation Commission (LAFCO) for their review and processing. OID Staff has prepared the attached Resolution of Application, which is requested to be approved by the Board of Directors. Staff will be available to answer any questions that the Board may have.

A member of the public, Robert Frobose, commented on this agenda item.

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to Adopt a Resolution of Application by the Oakdale Irrigation District Requesting the Local Agency Formation Commission to take Proceedings for the Fringe Parcels Annexation Change of Organization to the Oakdale Irrigation District (APNS: See Attached)

The motion passed unanimously by the following vote:

Ayes: Directors, Webb, Doornenbal, Clark, Bairos, Osmundson
Noes: None
Absent: None

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION OF APPLICATION BY THE OAKDALE IRRIGATION DISTRICT REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE ADDITIONAL ANNEXATION PARCELS CHANGE OF ORGANIZATION TO THE OAKDALE IRRIGATION DISTRICT (APNS: SEE ATTACHED)

Oakdale Irrigation District (OID) offered selected parcels the opportunity to annex as approved by the OID Board of Directors on February 13, 2013. This was the first step in processing a Change of Organization to the OID that will include the annexation of five (5) parcels situated within Stanislaus and San Joaquin Counties, and within the existing OID Sphere of Influence. A Notice of Determination was filed with both the Stanislaus and San Joaquin County Clerks on April 29, 2015 declaring that this proposed annexation will not have a significant effect on the environment and that a Negative Declaration was prepared for this project pursuant to the provisions of the California Environmental Quality Act (CEQA). The next step in this process is to submit a Resolution of Application to the Stanislaus Local Agency Formation Commission (LAFCO) for their review and processing. OID Staff has prepared the attached Resolution of Application, which is requested to be approved by the Board of Directors. Staff will be available to answer any questions that the Board may have.

Members of the public, Robert Frobose and Linda Santos, commented on this agenda item.

A motion was made by Director Doornenbal, seconded by Director Clark, and unanimously supported to approve to Adopt a Resolution of Application by the Oakdale Irrigation District Requesting the Local Agency Formation Commission to take Proceedings for the Additional Annexation Parcels Change of Organization to the Oakdale Irrigation District (APNS: See Attached)

The motion passed unanimously by the following vote:

Ayes: Directors, Webb, Doornenbal, Clark, Bairos, Osmundson
Noes: None
Absent: None

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION TO DESIGNATE THE GENERAL MANAGER AS THE OAKDALE IRRIGATION DISTRICT'S VOTING DELEGATE AT THE GENERAL SESSION MEMBERSHIP MEETING AT THE ACWA 2015 FALL CONFERENCE AND AUTHORIZE THE PRESIDENT TO EXECUTE THE PROXY DESIGNATION FORM

There will be a General Session Membership Meeting of the ACWA membership at the ACWA 2015 Fall Conference on December 2, 2015. A voting delegate must be

designated prior to the conference in order for Oakdale Irrigation District (District) to vote on any issues that may be taken up by the General Session.

The purpose of this meeting is to formally elect the ACWA President and Vice President for 2016-2017 and to amend the Association's Bylaws. The ACWA Nominating Delegate recommends the current Vice President Kathleen J. Tieggs for ACWA President and Region 2 Board Member Brent Hasteley for ACWA Vice President. The proposed amendments to the Bylaws are attached hereto. A broader description of the changes is available upon request.

Since attendance at ACWA this year appears to be only the General Manager, this agenda item is needed to give him voting authority as a recognized delegate.

General Manager Steve Knell stated that at the time this item was placed on the agenda he was the only one attending the conference and now Director Clark will also be attending. Steve Knell asked if Director Clark would prefer to be the delegate at the conference and Director Clark stated no.

A motion was made by Director Webb, seconded by Director Osmundson, and unanimously supported to designate the General Manager as the Oakdale Irrigation District's Voting Delegate at the General Session Membership Meeting at the ACWA 2015 Fall Conference and Authorize the President to Execute the Proxy Designation Form.

The motion passed unanimously by the following vote:

Ayes:	Directors, Webb, Doornenbal, Clark, Bairos, Osmundson
Noes:	None
Absent:	None

ITEM NO. 14
REVIEW AND TAKE POSSIBLE ACTION TO
CANCEL THE DECEMBER 1, 2015 BOARD MEETING AND
HOLD A SPECIAL BOARD MEETING ON NOVEMBER 30, 2015

President Steve Webb will not be available to attend the December 1, 2015 Board Meeting and has requested that the meeting be cancelled and a Special Meeting be held on November 30, 2015 in its place.

This is being brought to the Board for decision.

A motion was made by Director Doornenbal, seconded by Director Bairos, and unanimously supported to cancel the December 1, 2015 Board Meeting and hold a Special Board Meeting on November 30, 2015

The motion passed unanimously by the following vote:

Ayes: Directors, Webb, Doornenbal, Clark, Bairos, Osmundson
Noes: None
Absent: None

**DISCUSSION ITEM
ITEM NO. 15**

**ITEM NO. 15
DISCUSSION / PRESENTATION ON
FRAMEWORK FOR THE 2016 FISCAL BUDGET**

Staff has been developing their departmental budgets for 2016. The CFO will soon assemble and review the budget with the General Manager prior to going to the Finance Committee for its initial presentation. The General Manager will give a brief overview of the framework being used to focus the districts expenses in 2016 and in development of the 2016 budget.

**ITEM NO. 16
COMMUNICATIONS**

A. GENERAL MANAGERS REPORT

Safety Activities

1. OID has gone 273 days without a lost time injury accident.

Administration Activities

1. On-Farm Conservation Program CEQA work continues with CH2M Hill.
2. OID held its employee's Benefits Fair on October 23rd.
3. Harassment training for supervisors and board members held on October 27th. All directors in attendance.
4. River tour of fish weir and Honolulu Bar for Congressman Denham's staff and others.
5. Provided a tunnel tour for the Chamber of Commerce Leadership Class on October 29th.
6. A meeting with Del Puerto Irrigation District and SSJID and OID scheduled for November 18th.
7. Developing the 2016 budget and labor negotiations with 3 bargaining groups and 2 independent employees is consuming staff time.
8. Future Discussion items pending presentation before the Board include;
 - a. Discussion on the advantages of evening meetings over day meetings.
 - b. Webpage ability to post whole agendas with background material.
 - c. Outreach mechanisms to improve information flow to our constituents.
9. General Manager reported record levels of salmon are entering the Stanislaus River. Water Temperatures are not good for the eggs.

Legal Activities

1. ID 52 Lawsuit: Plaintiffs brief is due on October 15 to the appellate court. The are late. He may be out of extensions as he has had a few already. After OID Counsel gets their brief, they will submit a reply and the Court will then calendar it for oral arguments.
2. Demurrers in the SJTA and SWB curtailment matter were filed on Friday the 23rd as expected. All demurrers will be heard on February 19, 2016.
3. The Federal defendant's motion to dismiss the CalSpa complaint was granted by the federal district court. The court granted the petitioners the ability to amend their complaint but given how the order granting the motion is written we do not see any possibility for the petitioners to amend. We will dismiss our complaint intervention after the time period has lapsed for petitioners to file their amended complaint. Once that is completed this matter will be concluded.
4. General Counsel is addressing a Brown Act allegation regarding the water release OID and SSJID entered into with the State of California and the Federal water contractors. A response is due in 30 days.

Construction Activities

1. C&M crews and equipment operators began conducting maintenance and capital projects on OID facilities. All projects are off to a great start. Safety inspections have been conducted on all crews with an absence of any substantial issues.
2. Assisting Water Ops./Eng. Dept. with various tasks and field review of potential projects.
3. Conducting Safety Coordinator tasks pertaining to all hands training, Safety Committee meetings and review of weekly tailgate safety meetings.
4. Conducting Contract Administration tasks pertaining to contracts that need to be renewed and work releases that need to be completed with the assistance of Lori.
5. Conducting multiple landowner meetings for present and future Capital Projects.
6. ACWA/JPIA training was conducted on 10/29. Thanks to all that assisted with this training.

Water Operations Activities

Engineering

1. Land use Conversion – Continued to work with landowners, tenants, irrigation design companies and Support Services/Water Operations concerning ongoing and future land use conversion projects.
2. Processed Encroachment and Ag Discharge Agreements and continued field inspection during installation of the associated facilities.
3. Preparation of the legal description and maps of lands to be annexed was completed.
4. Continued to respond and comment on several requests for information and proposed parcel splits and lot line adjustments.
5. An updated draft water balance was provided for review by Davids Engineering and work on the 2015 AWMP update continued to stay on track for completion, public review/comment and adoption by the end of the year.

6. Review of the documentation resubmitted by OID to support an informal consultation process as part of the NEPA review for the 2 Mile Bar Tunnel easement acquisition across the USACOE's property continued. An update and a timeline for completion is expected during the next conference call.
7. Easement acquisition and plan preparation for the proposed Kuhn Pipeline project continued.

Ag Water

1. SCADA personnel began the winter maintenance season and completed winterization of the boundary outflow sites.
2. City of Oakdale staff provided a draft out of boundary service agreement between the City and OID on behalf of ID 41. The agreement has been reviewed by OID staff and is in the process of being reviewed by legal counsel.

Water Utilities

1. Improvement District No. 41:
 - Pumping Station No. 3 remains out of service due to high turbidity issues.
2. Domestic Water Pumping Stations:
 - WUD continues to conduct weekly inspection, servicing and security checks of the pumping stations. There is nothing unusual or out of the ordinary to report.
3. Domestic Water Systems:
 - Conducted bi-monthly inspection and flushing of water distribution system air relief valves and blow-offs.
4. Rural Water System No.1:
 - Monthly meter readings were collected on October 26th & 27th.
5. On-Call Activities:
 - Saturday, October 17th, staff responded to a call of a broken water line in ID 49. The customer's service was shut off to allow for repairs.
6. Deep Wells:
 - a. Bi-annual water table readings were collected on October 19th.
7. Knights Ferry Pumping Station:
 - a. After the water levels in the river increased this week, the Knights Ferry river pumps were able to be primed and operated. Now that water levels have been confirmed to be the issue, staff is in the process of determining what modifications will be necessary to allow the pumps to operate under the low river flow conditions that will occur this winter again after the pulse flow is completed on or about November 10th. Staff anticipates bringing a project proposal back to the Board for consideration at the November 17th meeting.
8. Irrigation Pumping Stations:
 - WUD continues to perform the routine inspection, servicing and security checks on the irrigation pumping stations in use as winter drain pumps. There is nothing unusual or out of the ordinary to report.
 - Townhill Drain Pump – Replaced damaged disconnect switch.

Finance Activities

1. The District will be renewing its group health insurance coverage with Kaiser effective December 1, 2015. Open enrollment is October 23, 2015 through November 23, 2015.
2. The Employee Benefits Fair held on October 23rd was a success, thanks to Lori Fitzwater-Presley.
3. Preparing the 2016 Annual Budget.
4. Preparation of a revised Sick Leave policy. All bargaining groups were provided the revised policy for review and/or comments.
5. Assisting GM with meet and confer with three bargaining groups.
6. Preparing for 2015 Drought Surcharge refund checks.
7. ID45 & ID49 Resolution for the Intention to Consolidate will be re-published in the Oakdale Leader on November 4th due to an error in the publishing on October 28th.

B. COMMITTEE REPORTS

Director Clark commented on the Tri-Dam Advisory meeting held November 2, 2015. Director Clark stated that they discussed a water seepage issue through Beardsley Dam that will need to be examined. They discussed the Transmission Power Agreement with PG & E which will be discussed at the next Tri-Dam Meeting. All the switch gears at Beardsley need to be replaced and will be an expensive project.

DIRECTORS' COMMENTS/SUGGESTIONS

Director Bairos

Director Bairos stated to Support Services Manager Jason Jones that the crew working on installing a pipeline in his area had some positive comments from his neighbor saying the crews are working well and there have been no issues. Please relay the message that Roger Thomasson and Joe Kosakiewicz have been very helpful.

At the hour of 10:06 am the meeting adjourned to Closed Session.

Members of the public, Robert Frobose and Linda Santos, commented on the Closed Session item concerning the Public Employee Performance Review of the General Manager.

ITEM NO. 17 **CLOSED SESSION**

A. *Government Code §54957.6 - Conference with Labor Negotiator*

Agency Negotiator: General Manager

Represented Employee: Exempt Supervisory Bargaining Group, Exempt Management Bargaining Group, and John Walsh

B. Government Code §54957

Public Employee Performance Evaluation
Title: General Manager

C. Government Code §54956.8 Conference with Real Property Negotiator

Negotiating Parties: OID and Cal Fish & Wildlife and National Marine
Fishery Service

Property: Water

Under Negotiations: Terms on a Stanislaus River settlement

At the hour of 11:55 a.m. the meeting returned to open session.

Coming out of Closed Session Director Webb stated that there was no reportable action.

ITEM NO. 18
OTHER ACTION

The meeting adjourned at the hour of 11:55 a.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, November 17, 2015 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Regular Joint Board Meeting for the **Tri-Dam Project** is scheduled for **Thursday, November 19, 2015 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