

## MINUTES

Oakdale, California  
February 7, 2006

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  
Jack D. Alpers  
Louis Brichetto  
Tony Taro Absent  
Frank B. Clark

Staff Present: Steve Knell, P.E., General Manager/Secretary  
Kathy Cook, Chief Financial Officer  
Gary Jernigan, Support Services Manager  
Kevin King, Water Operations Supervisor/Special  
Projects Coordinator

Also Present: Michael Ijams, 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**

General Manager, Steve Knell, requested that Discussion Item Nos. 21 and 22 be moved to follow the Consent Calendar. A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to move Discussion Item Nos. 21 and 22 to follow the Consent Calendar.

Director Brichetto requested that Consent Item No. 5 be pulled from the Consent Calendar.

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

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

Mr. Ben Ruthman stated that he lives on Olive Avenue and every irrigation season the Cree Lateral floods the road. He asked if the ditch was going to be fixed. Director Webb asked for his address and phone number and stated that we would look into it and would give Mr. Ruthman a call.

Mr. Henry Burtschi addressed the Board on the overall financial situation of the District. He stated that he was very pleased with the net result of the District which showed \$5.2 Million Dollars in net income. He stated that we should share this money with the farmers. He requested the Board to put on the Agenda an item to cancel and waive to all landowners their second payment of their 2006 water delivery fees.

Mr. Victor Geis stated that he also lives on Olive Avenue and was concerned about the flooding caused by the Cree Lateral.

Mr. Henry Kearns asked when the Board Minutes are read. He stated that according the Brown Act they should be read out loud. Director Webb stated that that is not a requirement of the Brown Act. Mr. Kearns also asked why the East Thalheim Canal is always full of water and he cannot get irrigation water during the irrigation season. Director Webb confirmed with Gary Jernigan that he is looking into Mr. Kearns irrigation problem.

Mr. Roger Beymer stated that he has customers on Gray Road that he drives a limo for occasionally. He commented on the water that spills out on to Gray Road and feels that it may be a safety hazard.

Mr. Lorens Foard stated that in Closed Session the Board will be considering performance and wages of the employees of OID. He stated that there is something wrong in our organization in regard to employees. He stated that it is up to the Directors to correct these situations.

Public Comment was closed at 9:19 a.m. and the Board Meeting continued.

**CONSENT ITEMS**  
**ITEM NOS. 2, 3, 4, 6, 7, 8**

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTOR'S MINUTES OF THE**  
**REGULAR MEETING OF JANUARY 17, 2006**  
**AND RESOLUTION NOS. 2006-01 THROUGH 2006-08**

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Board of Director's Minutes of the Regular Meeting of January 17, 2006 and Resolution Nos. 2006-01 through 2006-08.

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

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

**ITEM NO. 4**  
**APPROVE CHIEF FINANCIAL OFFICER'S REPORT**  
**FOR THE MONTH ENDING DECEMBER 31, 2005**

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Chief Financial Officer's Report for the month ending December 31, 2005.

**ITEM NO. 6**  
**APPROVE ABANDONMENT OF LANGWORTH**  
**STUB PIPELINE (APN: 063-013-019 – ROSSINI)**

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the abandonment of Langworth Stub Pipeline (APN: 063-013-019 – Rossini).

**ITEM NO. 7**  
**APPROVE QUITCLAIM OF LANGWORTH**  
**STUB PIPELINE (APN: 063-013-019 – ROSSINI)**

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Quitclaim of Langworth Stub Pipeline (APN: 063-013-019 - Rossini).

**ITEM NO. 8**  
**APPROVE QUITCLAIM OF EXISTING EASEMENT ON THE**  
**SNEDIGAR PIPELINE IN THE CITY OF RIVERBANK (APN: 132-061-072 – KERR)**

A motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to approve the Quitclaim of existing easement on the Snedigar Pipeline in the city of Riverbank (APN: 132-061-072 – Kerr).

**DISCUSSION ITEMS**  
**ITEM NOS. 21, 22**

**ITEM NO. 21**  
**DISCUSSION ON WATER RESOURCES PLAN**  
**ACTIVITIES AND NEEDS IN THE COMING MONTHS**

Greg Eldridge, Mark Oliver, and Gregg Norby were present from CH2M Hill. Greg Eldridge recapped Phase I through a Power Point presentation and later gave the Board members a calendar indicating future topics of discussion/presentation at future Board Meetings. Mark Oliver discussed Phase II, the CEQA process, through a Power Point presentation.

**ITEM NO. 22**  
**DISCUSSION ON HOW TO HANDLE RECENT ANNEXATION**  
**APPLICATIONS TO THE OAKDALE IRRIGATION DISTRICT**

General Manager, Steve Knell, discussed annexation and asked for the Board's input regarding the handling of recent applications. Currently the annexation applications are not being processed because the Board has not designated any surplus water.

Don Jackson was present at the hearing and introduced his foreman of the farming operation, Mike Burden, who discussed their current farming practices and the possibility of annexing into the District.

Jack Hoekstra was also present at the hearing to discuss the possibility of annexing into the District.

After discussion by the Board members it was decided that the District will continue to accept annexation applications until such time as it is determined what, if any, water is available for annexation. It was also decided that an Annexation Committee needs to be appointed to establish the future potential of annexations.

**ACTION ITEMS**  
**ITEM NOS. 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 19**

**ITEM NO. 5**  
**APPROVE GENERAL SERVICES CONTRACTS**  
**FOR VARIOUS VENDORS AND CONTRACTORS**

Director Brichetto had a question regarding Don Lee Pump and if it was a full service company like Don Pedro. Gary Jernigan stated that it is a lighter domestic water pump company. Thereafter a motion was made by Director Clark, seconded by Director Brichetto, and unanimously supported to approve the General Services Contracts for various vendors and contractors.

**ITEM NO. 9**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**AMENDING THE 2006 CAPITAL IMPROVEMENT BUDGET**

As previously reported by staff, the District is experiencing multiple maintenance repair projects turning into major capital projects because much of the OID's infrastructure is in various stages of collapse and failure. Attached is a list of capital construction projects that have been identified as "must-do" projects for 2006. These identified projects exceed the current approved budget.

A motion was made by Director Alpers, seconded by Director Brichetto, and unanimously supported to amend the capital improvement budget.

**ITEM NO. 10**  
**REVIEW AND TAKE POSSIBLE ACTION AUTHORIZING THE**  
**GENERAL MANAGER TO EXECUTE SERVICE CONTRACTS**  
**FOR PROJECTS REQUIRING COMPLETION BY THE 2006 WATER SEASON**

In order to complete all the capital construction projects necessary before the 2006 Water Season the District will be required to contract out the identified work on the attached spreadsheet. The pre-selected bidders will be limited to those that have in-place General Service Agreements with the District. They include; Mozingo Construction, RTC and Applegate Backhoe and Drilling.

The work will be bid on a Unit Rate or Not-To-Exceed basis. Drawings from Giuliani & Kull and Scopes of Work developed by Staff will be issued for the bidding process. The intent will be to award to the lowest qualified bidder to meet the schedule. Proposals will be due February 10, 2006 and awarded on February 13, 2006 and completed on March 17, 2006

Staff recommends that the Board authorize the General Manager to execute Releases to General Services Agreements for the vendors and contractors listed above.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to authorize the General Manager to execute service contracts for projects requiring completion by the 2006 water season.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION ON APPROVAL**  
**OF SCOPE OF WORK FROM PANAGRAPH FOR**  
**PUBLIC OUTREACH ON THE WATER RESOURCES PLAN**

The development of the Water Resources Plan and the CEQA processing of Phase II will require continued public outreach. Panagraph has submitted a Scope of Work for their efforts to involve, inform and educate the public about OID's Water Resources Plan during the Phase II processing.

A motion was made by Director Clark and seconded by Director Alpers to approve the scope of work from Panagraph for public outreach on the Water Resources Plan, and was voted as follows:

Ayes: Directors Alpers, Clark, Webb  
Noes: Director Brichetto

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**APPROVAL OF SCOPE OF WORK FROM PANAGRAPH**  
**FOR WORKSHOP FOR 2006 WATER SEASON**

It has been many years since OID held a water season workshop for its water customers. The intent this year is to develop and hold a spring workshop at OID. The workshop would be an informational program on efficient water use, CIMIS, landowner responsibilities for

irrigation, OID obligations, etc. Currently we are looking at focusing a good portion of the session on ranchettes water users. Letting them meet their DSOs, talk about water system maintenance and operation, etc.

In addition to the workshop, Panagraph would develop for OID a table top display for use in informational activities the district has planned.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the scope of work from Panagraph for the workshop for the 2006 water season.

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION ON RESOLUTION**  
**SETTING 2006 WATER RATES FOR IRRIGATION OF LANDS**  
**OUTSIDE OAKDALE IRRIGATION DISTRICT BOUNDARIES**

As provided for in the District's Agreement for Irrigation of Lands Outside District Boundaries surplus irrigation water is determined to be available (i.e. surplus) or not at the first meeting in March. Rates for the delivery of water to lands outside district boundaries are set before March, hence the purpose of this agenda item.

Based on the attached rate analysis, the "unsubsidized" rate for water is \$209 per acre or \$41 per acre foot (flow rate) based on the OID's 2006 budget.

In 2005, the per-acre charge for out-of-district water was as follows:

- \$15.00 per acre foot, or
- \$61.00 per acre for those landowners owning less than 10 acres and grand-fathered into the Agreement for Irrigation of Lands Outside District Boundaries adopted January 20, 2004, and
- \$48.00 per acre for those landowners owning 10 acres or larger and grand-fathered into the Agreement for Irrigation of Lands Outside District Boundaries adopted January 20, 2004.

The Board is requested to set a rate for the per acre receipt of water and a per acre-foot rate for all applicants who are required to pay for the volume of out-of-district water they receive.

After discussion, a motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to increase the rate per acre for landowners owning less than 10 acres by 25% and leave the remaining rates the same.

**ITEM NO. 14**  
**REVIEW AND TAKE POSSIBLE ACTION TO APPROVE ISSUANCE**  
**OF A "WILL SERVE LETTER" FOR THE PROPOSED SWING LOT SPLIT**

Mr. Nathan Swing is requesting a "Will Serve Letter" from OID to supply domestic water from OID's Rural Water System to 2 proposed lots created by splitting the existing lot

located at 10907 Dixon Road. These proposed lots are located on the north side of Dixon Road, and west of Dillwood Road

A motion was made by Director Clark, seconded by Director Webb, and unanimously supported to approve the issuance of a "Will Serve Letter" for the proposed Swing Lot Split.

**ITEM NO. 15**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**RELEASE OF WORK FOR SCADA UPGRADE PROJECT**

The SCADA base station currently utilized by the Water Operations Department is in need of an upgrade. Specifically the SCADA computer will be replaced and new programming language will be written. The upgrade is a necessary project, in that; this is the backbone of future SCADA expansion as outlined in the Water Resources Plan. In addition the release of work includes some minor improvements to the Rodden Lake SCADA site, including a new Ethernet radio which will make the site faster and more reliable, in regard to communications with the base station. Moreover, the release of work includes an item to test the flow equation currently programmed for the north main canal downstream of Rodden Lake. The flow equation has proven to be unstable for a number of years, and the work performed under this release will correct those errors.

A General Services Agreement was approved by the Board of Directors on August 2, 2005 with Sierra Controls Systems, Inc., an automation and control contractor.

Staff recommends that the Board authorize the General Manager to execute the work release for Sierra Control Systems, in order to initiate work on the SCADA Upgrade Project.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the release of work for SCADA upgrade project.

**ITEM NO. 16**  
**REVIEW AND TAKE POSSIBLE ACTION**  
**ON PURCHASE OF SPRAY EQUIPMENT**

In November 2005, Truck #30, which is OID's only rig for the application of pre-emergent herbicide, broke down with a worn out rear end. The initial intent was to replace the rear end and continue with the pre-emergent program. However Truck #30 is 22-years old with 135,000 miles and the effort to locate a replacement for the worn out rear end was difficult. One rear end was found and the effort to modify it to fit Truck #30 was attempted. It did not work.

The delay in finding a fix put OID's pre-emergent program in jeopardy. The Auto Department looked at other spray rig options but found what was immediately available for rental would not satisfy the District's ability for pre-emergent application. The company who supplied the new spray rig in 2005 was contacted and our problem was presented to them.

American Cleanway, Inc. proposed one of their portable spray rigs to suit our immediate needs plus be portable enough to provide additional capabilities on an emergency basis in the future. American Cleanway would not provide this equipment on a rental basis and it was only available for purchase. Because of the significant delays already incurred in the pre-emergent program the decision was made to buy the portable spray equipment. The equipment was mounted on a skid and put in the back of Hanf's 4X4 until Truck #30 could be repaired and put back in service. This emergency purchase is now being brought to the Board for approval.

A motion was made by Director Brichetto, seconded by Director Clark, and unanimously supported to approve the purchase of spray equipment.

**ITEM NO. 17**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**CHANGE ORDER WITH JOHNSON WESTERN TO**  
**GUNITE ADDITIONAL PORTIONS OF FRYMIRE LATERAL**

The Board of Directors awarded \$96,000 to Johnson Western Gunitite to Shotcrete the Frymire Lateral. The original scope of work was approximated at 1,200 linear feet or a total of 244 cubic yards of Shotcrete at \$393.44 per cubic yard. During the period from the bidding and award, additional areas were found in need of repair on the Frymire. The total amounted to approximately 1,500 linear feet and 309 cubic yards of Shotcrete. Therefore, Johnson Western required an additional 65 cubic yards of Shotcrete for an additional \$25,574 to be added to their contract amount.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the change order with Johnson Western to gunite additional portions of Frymire Lateral.

**ITEM NO. 18**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**RELEASE OF WORK TO RTC FOR REPAIRS TO MOULTON PIPELINE**

Last year, RTC was contracted to remove the cast-in-place concrete pipe on the Moulton Pipeline and replace with PVC pipe. The work did not include the repair to the existing structures. During the 2005 Irrigation Season, leaks were identified around the structures. RTC was advised this was a result of their tie-ins to the existing structures. RTC stated the leaks were not from the pipe installation but due to the leaks in the existing structures and offered to repair these structures. The C&M group could repair the leaks in the structures but this would only convolute the responsibility for the leaks. RTC has been asked to perform these repairs. Work will start February 8, 2006 if approved. If not approved, the C&M group will make the necessary repairs in October, 2006 at the earliest.

Staff recommends that the Board authorize the General Manager to sign a Change Order for RTC to perform the repairs on a T&M basis.

A motion was made by Director Brichetto, seconded by Director Alpers, and unanimously supported to approve the release of work to RTC for repairs to Moulton Pipeline.

**ITEM NO. 19**  
**REVIEW AND TAKE POSSIBLE ACTION ON CHANGE**  
**ORDER WITH CONDOR EARTH TECHNOLOGIES FOR**  
**STRUCTURAL INSPECTION OF WILLMS SIPHON**

Condor Earth Technologies was issued a contract to provide solutions to the South Main upstream of Tunnel #7 to Goodwin Dam. However, the Willms Siphon being located on the South Main is located downstream of Tunnel #7. The Willms Siphon has severe leaks which may require the structure to be replaced or repaired. An engineering inspection is required on the internal condition of this facility to determine the extent of repairs or replacement. Condor was requested to provide a structural/tunnel engineer to inspect this facility.

Presently, the cost for the engineer is being covered in the contingency of the existing contract. At a later date, the contract will be modified to accommodate the additional cost if the contingency is expended during the execution.

Staff recommends that the Board authorize the General Manager to sign a Change Order to Condor for the inspections services.

A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to approve the change order with Condor Earth Technologies for structural inspection of Willms Siphon.

**DISCUSSION ITEM**  
**ITEM NO. 20**

**ITEM NO. 20**  
**DISCUSSION OF THE DISTRICT'S ADMINISTRATIVE**  
**POLICY REGARDING THE BOARD'S RELATIONSHIP**  
**WITH GENERAL MANAGER AND EMPLOYEES**

Director Clark wished this to be placed on the agenda for discussion and assignment to the Personnel Committee.

The current Board Administrative Policy was adopted in December 19, 2000. Per minutes from that meeting, the policy adopted was a verbatim transcription from the Public Agencies Resource Book except for a few sentence additions.

Since that time, ACWA revised and developed a similar Board Guideline Policy in 2005 that may be more reflective of today's staff-management-Board environment.

Director Clark stated that there are two items in the Administration Policy regarding communications between the directors and employees that should be reviewed.

After further discussion it was decided that this issue should be placed on the next Agenda as an action item to see if the Board would like to forward this issue to the Personnel Committee for revision of the policy.

**COMMUNICATIONS**  
**ITEM NO. 23**

**A. GENERAL MANAGER'S REPORT**

**Safety Activities**

1. Continuing training programs and implementing our Target Zero Program.
2. OID requested and received an OSHA On-Site Consultation in an effort to measure our progress in the area of Safety. Attached to the GM's Report is their findings. OID, by reducing its ExMod below 125 (OID is at 112) we have removed our classification as a "high hazard employer". Congratulations to all our employees and to our Safety Committee for their efforts.

**Off-Season Water Activities**

1. Five employees attended Cal Poly ITRC training.
2. Laidlaw and Hanf attended the Calif. Irrigation Institute meeting in Sacramento.

**Administration Activities**

1. OID was an honorable mention for the Business of the Year Awards. Before you is the statement prepared by the Chamber for our excellent efforts in 2005.
2. OID had a peer review of its Ag Water Mgt Plan by AWM Council representatives, DWR, two irrigation districts and an environmental rep. on Monday January 23<sup>rd</sup>.
3. OID received a unanimous endorsement from the AWM Council on both its submitted Ag Water Management Plan and for its Water Resources Plan which is a key element of its AWMP. The general discussion after the GM's presentation indicated a keen awareness of what is going on at OID. MID's representative on the council particularly praised OID and its accomplishments over the past few years. The seated members of the Council represent over 5.2 million irrigated acres within California. To have this endorsement is a huge milestone for OID.
4. The California Farm Water Coalition did a phone interview with the GM on February 1<sup>st</sup>. Their interest is in OID's Water Resource Planning efforts. Their interest was peaked from the minutes published from the Ag Water Management Council. The interview will be an upcoming article in the Farm Water Coalition's statewide newsletter.
5. OID attended Stanislaus County's Water Summit on January 25. This looks like a long haul venture for the County. Next meeting will be in a month and only with the cities. This meeting will attempt to quantify the need in the County. The County will later meet with the ID's to determine the means, mechanisms and opportunities to meet those needs. I'm sure there is more to come on this.
6. Met with the local news channel Central Valley Report regarding coverage of OID events. This may be a good future avenue to get OID messages out to the public.
7. The DWR Water Use Efficiency Grant contract for \$2.1 million was sent to O'Laughlin for review. The contract has some problems and we will bring it to the February 21 meeting for Board direction.
8. Received draft of Employee Policy Handbook from consultant.
9. Received draft of revised Job Descriptions from Robert Taylor.

**B. COMMITTEE REPORTS**

Director Alpers reported on the Ad Hoc Committee that was appointed to address the Ben Pacheco's drainage issue. He stated that he and Louis met with Mr. Pacheco and his son and it was a very solid meeting and they came up with some ideas and learned exactly about what he was talking about. They need to meet with Gary and discuss their findings with him and have the staff go out and evaluate what can be done. It was determined that there were two big problems; and old corroded galvanized pipeline and the upper drainage on the Taro subdivision which floods constantly. There also may be a third one involving a pipeline that goes across the road into his property a little ways and possibly needs to be bigger to take the flood water on through, but staff needs to look at these items.

Director Alpers reported on the Personnel Committee Meeting and stated that the content of that meeting will be discussed in Closed Session today.

**C. DIRECTORS' COMMENTS/SUGGESTIONS**

Director Alpers

Director Alpers stated that some irrigation districts have a district drainage policy that pays separate fees to maintain the drains. Some day he would like the District to take a look at this so we clean the drains all of the time. Secondly, he stated that he feels that this Board has an obligation when they vote negative to share the information as to why they are voting negative. It is a real surprise when someone votes no and he has no idea of why. Director Alpers would like to know their reasons so he can include them in his thought process.

Director Webb

Director Webb had no comments.

Director Brichetto

Director Brichetto thought it would be appropriate to send a thank you letter to Tony Priola and Kent Gabrielson for their service.

Director Clark

Director Clark had no comments.

At the hour of 11:17 a.m. a motion was made by Director Clark, seconded by Director Alpers, and unanimously supported to move to Closed Session.

**CLOSED SESSION**  
**ITEM NO. 24**

Closed Session to discuss the following:

- A. *Government Code §54957.6 Conference with Labor Negotiator***  
Agency Negotiator: General Manager  
Unrepresented Employees: Operating Engineers Local Union No. 3

**B. Government Code §54957.6 Conference with Labor Negotiator**

Agency Negotiator: General Manager  
Unrepresented Employees: Supervisory Exempt, Confidential  
Employees, and Management Exempt

**C. Government Code §54957**

Performance Evaluation of the General Manager

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

(1) Fields

Director Brichetto left the room when item C of the Closed Session was discussed.

At the hour of 12:31 p.m., a motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to move to Open Session.

Director Webb reported that in Closed Session it was unanimously supported by the Directors to increase the General Manager's yearly salary to \$129,750.00 and awarded the General Manager a bonus of \$7,500.00 for his extraordinary performance in 2005.

There were no other reportable actions following closed session.

**OTHER ACTION**  
**ITEM NO. 25**

At the hour of 12:34 p.m. a motion was made by Director Alpers, and seconded by Director Clark, and unanimously supported to adjourn to the next **regular Board of Director's Meeting** to be held on **Tuesday, February 21, 2006, 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, February 16, 2006, 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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Steven A. Webb, President

Attest:

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Steve Knell, P.E., Secretary