

**MINUTES**

Oakdale, California  
January 22, 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  
Tony Taro  
Steve Webb  
Frank Clark

Staff Present: Steve Knell, General Manager  
Kathy Cook, Chief Financial Officer/Treasurer  
Mike Evans – Watermaster  
Bob Nielsen – Co-Interim Support Services Manager.

**PUBLIC COMMENT**

Former Board President, Henry Burtschi made comments regarding funds we received from the Tri-Dam Power Authority. Director Alpers responded to his comment. Tim O’Laughlin also responded and explained that every year Oakdale generally requests the maximum amount of money. However, South San Joaquin chooses not to vote that way because if a short-fall were to occur they would not have to use reserve funds. In order to change this policy there would need to be a 3-person majority vote from both Districts.

Mr. Larry Foard asked questions regarding the process for filling the current vacancy for the position of administrative assistant. General Manager Steve Knell explained the process.

Mr. Jerry Nation commented regarding the new Board of Directors and thanked them for making progress on issues by working together to get things done.

**ADDITION OR DELETION OF  
AGENDA ITEMS**

There were no additions or deletions.

**ITEM NO. 1:**  
**WRITTEN CORRESPONDENCE**

General Manager Steve Knell sent correspondence to CalTrans on their upcoming 120-bypass project and work with the engineering consulting firm. It was suggested by Director Alpers that perhaps Ron Reinitz could be utilized on a part-time basis after he retires until his replacement is found.

**ITEM NO. 2:**  
**GENERAL MANAGER'S REPORT**

General Manager Steve Knell reported the following:

Contact with Board members:

- ?? Discussions with Directors Webb and Clark regarding the proposed budget
- ?? Discussion on several occasions with Director Clark relative to finance and budgetary issues, policy at OID, and OID personnel issues
- ?? Discussions with Director Alpers regarding agenda preparation
- ?? Discussion with Director Taro regarding historical perspective of OID facilities
- ?? Discussion with Director Brichetto regarding agenda items and agenda preparation issues

Capital Purchases per Board Resolution No. 97-07

- ?? 16" Waterman gate for Riverbank Lateral, Work Order #201 – estimated cost \$1,000
- ?? 16" Waterman gate for Riverbank Lateral, Work Order #202 – estimated cost \$1,000

Upcoming meetings

- ?? Staff to meet with San Joaquin County to begin development of a Memorandum of Understanding whereby both agencies have an understanding of their financial obligations for the use of culverts and pipes under roadways that contain irrigation and drainage waters.
- ?? Staff to attend a RWQCB hearing in Sacramento on Friday on San Joaquin River DO update on this TMDL and development of a Basin Plan amendment for salinity and boron.

Activities

- ?? NPDES Permit needs to be on file with the Regional Water Quality Control Board March 1, 2002 that addresses the means and practices of the OID in its continuation of use of Magnicide H, Rodeo and Roundup within the canal and drain system.
- ?? South Main Regulating Reservoir Status Report: drying out site
- ?? Met with Leon Massey (retiring in two weeks) at Hershey Chocolate relative to their wastewater discharge agreement with OID.
- ?? Continuing one-hour interviews with OID employees and to date have completed 13.

**ITEM NO. 2b**  
**DIRECTORS' COMMENTS/SUGGESTIONS**

Director Clark asked to have included on the next Agenda the development of a cell phone policy, and he wishes to look at the credit card and investment policies.

Director Clark asked for the status of the recruitment for Support Services Manager. General Manager Steve Knell reported that this would be discussed during the next Board of Director's meeting to be held February 5, 2002 under General Manager's Report.

Director Clark questioned the status of the audit and Kathy Cook reported that this would take place in February.

Director Brichetto asked to be informed as to the procedures for the audit and Kathy Cook responded that she would make that information available to him. Director Clark commented regarding Resolution 96-01 – Reimbursement to Directors. The requirement dictates that at the January meeting OID discloses reimbursements made for the prior year. Kathy Cook responded that this would be done at the next meeting.

Director Clark also wanted to attend the City Council meeting this evening and General Manager Steve Knell would attend with Director Clark.

Director Taro discussed an article in ACWA magazine "Governor Davis announces \$82 Million in Water Protection Proposals due February 1." He questioned whether we would qualify for some of the run-off water. Perhaps we could be granted dollars for putting in a pipeline to pipe the water back up to some of our laterals to achieve better utilization of our drain water?

Director Alpers discussed the purchase of new recording equipment and commented that if it was under \$1,000 that we should go ahead and purchase it.

Director Webb asked that items 9, 10, 11 be removed from the Consent Calendar for further discussion and Director Clark asked to have items 3, 4, and 6 moved to the Action calendar.

**ITEMS NO. 5, 7, AND 8**  
**CONSENT CALENDAR**

5. Review and approve Oakdale Irrigation Improvement District's Statement of Obligations.
7. Review and approve Resolution No. 2002-NIL Appointing Employees to Represent the Oakdale Irrigation District in Small-Claims Court of the Manteca-Ripon-Escalon-Tracy and Oakdale-Riverbank-Modesto Judicial Districts.
8. Review and approve Resolution for Designation of Applicant's Agent updating and including new General Manager and Directors for State of California, Office of Emergency Services.

A motion was made by Director Webb, seconded by Director Brichetto and unanimously supported to approve the Consent Calendar.

**ITEM NO. 3**  
**APPROVE THE BOARD OF DIRECTORS' MINUTES OF**  
**REGULAR MEETING OF JANUARY 8, 2002**

Director Clark commented that the Minutes should show more detail to reflect a more historical recording of the events, however, they are not to be verbatim.

A motion was made by Director Taro, seconded by Director Clark and unanimously supported to approve the Minutes of the January 8, 2002 Board of Directors' meeting.

**ITEM NO. 4**  
**REVIEW AND APPROVE OAKDALE IRRIGATION DISTRICT'S**  
**STATEMENT OF OBLIGATIONS**

Discussion was held, and clarification given of several items which were asked by Director Clark. Kathy Cook responded to Director Clark's questions relative to budget items.

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

**ITEM NO. 6**  
**REVIEW AND APPROVE THE MONTHLY**  
**TREASURER'S REPORT AND**  
**INTERNAL FINANCIAL REPORTS FOR THE**  
**MONTH ENDING DECEMBER 31, 2001**

Director Clark asked for explanation of items and Kathy Cook responded to all questions regarding the monthly Treasurer's Report.

A motion was made by Director Clark, seconded by Director Webb and unanimously supported to approve the monthly Treasurer's Report and Internal Financial Reports for the month ending December 31, 2001.

**ITEM NO. 9**  
**APPROVE PURCHASE OF**  
**FORD EXPLORER FOR**  
**GENERAL MANAGER**

A motion was made by Director Webb, seconded by director Clark and unanimously supported to approve the purchase of a 2002 Ford Explorer for the General Manager. General Manager Steve Knell is to obtain 3 bids for the purchase of the Ford Explorer and to purchase from the lowest bid obtained. The Crown Victoria is not to be used as a trade-in for the purchase of this Ford Explorer.

**ITEM NO. 10**  
**REVIEW AND APPROVE RESOLUTION NO. 2002-NIL**  
**AUTHORIZING THE DISPOSAL OF PROPERTY**  
**NO LONGER NECESSARY FOR DISTRICT PURPOSES**

A motion was made by Director Webb, seconded by Director Clark and unanimously supported to approve the disposal of the 1991 Chevrolet Caprice vehicle and to keep the 2001 Ford Crown Victoria in inventory.

**ITEM NO. 11**  
**REVIEW OF ASSIGNED VEHICLES/**  
**VEHICLE POLICY**

A motion was made by Director Webb, seconded by Director Clark and unanimously supported to approve the assigned vehicles/vehicle policy.

**ITEM NO. 12**  
**CONSIDER APPROVAL OF THE CALTRANS UTILITY**  
**AGREEMENT AND THE GIULIANI AND KULL, INC.**  
**CONSULTANT AGREEMENT FOR PRELIMINARY ENGINEERING**  
**OF DISTRICT FACILITIES FOR THE OAKDALE BYPASS**  
**PROJECT BY RESOLUTION 2002-NIL**

A motion was made by Director Taro, seconded by Director Bricchetto and unanimously supported to approve by Resolution No. 2002-NIL CalTrans Utility Agreement and Giuliani and Kull, Inc. Consultant Agreement and Authorize General Manager to sign contracts.

**ITEM NO. 13**  
**REVIEW AND CONSIDER REQUEST FROM**  
**MR. ROOTS REGARDING A MOBILE HOME ON**  
**DISTRICT PROPERTY – MOOTZ PIPELINE**

A motion was made by Director Clark, seconded by Director Brichetto and unanimously supported to approve the following:

1. A non-standard encroachment agreement to be drafted by Tim O’Laughlin
2. A hold-harmless agreement is to be executed by Mr. Roots stating that the District is not liable for any damages to his home
3. Mr. Roots to record at the Office of the County Clerk-Recorder the details of said encroachment agreement
4. Mr. Roots to be held accountable for all costs incurred to accomplish Items No. 1, 2 and 3 herein
5. Mr. Roots will be given 36 months to move the mobile home and septic system from District property after completion of the above items.
6. Mr. Roots to remove sprinklers and trees from Oakdale Irrigation District lands.

**ITEM NO. 14**  
**REVIEW AND CONSIDER ITEMS FOR**  
**LUTZ VS. OAKDALE IRRIGATION DISTRICT**  
**SETTLEMENT**

**ITEMS 1 THROUGH 8 OF SETTLEMENT LETTER FROM**  
**ROBERT H. GREENFIELD, ESQUIRE**

1. A Motion was made by Director Brichetto, seconded by Director Webb unanimously supported to refer this item to the Engineering Committee who will meet and then make a recommendation to the Board.
2. A Motion was made by Director Brichetto, seconded by Director Webb unanimously supporting an encroachment permit be granted to the Mr. Lutz to allow him to construct a new footbridge if he desires.
3. A Motion was made by Director Webb, seconded by Director Brichetto that the Oakdale Irrigation District maintenance crew, clean the irrigation ditch adjacent to the access road one-time only.

Ayes: Webb, Brichetto  
Nays: Taro, Clark, Alpers

- Motion not carried.
4. A motion was made by Director Clark, seconded by Director Webb and unanimously supported to bring the condition of the roadway to the condition it was in prior to the construction. No annual maintenance by Oakdale Irrigation District is required.

- 5, A Motion was made by Director Clark, seconded by Director Webb and unanimously supported that Oakdale Irrigation District will reinstall the cattle gates at the intersection of the Claribel Lateral and the Oakdale-Waterford Highway.
6. A Motion was made by Director Clark, seconded by Director Webb and unanimously supported that Mr. Lutz will extend the presently installed cattle guard across the width of the access road.
7. A Motion was made by Director Clark, seconded by Director Webb and unanimously supported that Oakdale Irrigation District will reinstall two cattle sweeps in the Claribel Lateral.
8. No action taken

**ITEM NO. 15**  
**CONSIDER ADDITION OF A SECOND PUMP TO**  
**THE CLAVEY BOOSTER PUMP SITE**

A Motion was made by Director Taro, seconded by Director Brichetto and unanimously supported to install a second booster pump at the Clavey Pump site.

**ITEM NO. 16**  
**REVIEW AND CONSIDER MODIFICATIONS TO**  
**OID ADMINISTRATIVE POLICY,**  
**RELATIONSHIP WITH GENERAL MANAGER**  
**AND EMPLOYEES, SECTION A&B**

A Motion was made by Director Clark, seconded by Director Brichetto and unanimously supported to delete from Section A "The General Manager shall report any and all contact with any individual Directors during the open session of each regularly scheduled Board meeting, " and from Section B "Such contact shall be reported by the Director to the Board."

Ayes: Clark, Brichetto, Taro, Alpers  
Nays: Webb

**ITEM NO. 17**  
**REVIEW AND CONSIDER MODIFICATIONS TO**  
**OID RECORDS RETENTION AND**  
**DESTRUCTION POLICY**

A Motion was made by Director Clark, seconded by Director Taro and unanimously supported approving the change to OID Records Retention and Destruction Policy as it pertains to tape recordings of the Board of Director's Meetings. Said policy shall be changed to reflect that all tape recordings shall be kept for one-year before destruction.

**ITEM NO. 18**  
**REVIEW AND CONSIDER MODIFICATIONS TO**  
**OID STANDARD OPERATING PROCEDURES FOR**  
**TRANSCRIBING BOARD MEETING MINUTES POLICY**

No action taken.

**ITEM NO. 19**  
**REVIEW AND CONSIDER**  
**PROPOSED 2002 BUDGET**

A Motion was made by Director Clark, seconded by Director Taro and unanimously supported to approve the 2002 Budget with the following changes:

1. Capital Purchases – purchase one (1)  $\frac{3}{4}$  ton diesel extended cab pickup instead of two (2). Replace second diesel  $\frac{3}{4}$  ton pickup with one (1) standard 1/2 ton non-diesel pickup truck.
2. Eliminate Crown Victoria from equipment trade-in, as this will be kept in inventory.

**ITEM NO. 20**  
**REQUESTS FOR PROPOSALS FOR**  
**DISTRICT GENERAL COUNSEL**  
**AND/OR WATER ATTORNEY**

A Motion was made by Director Webb, seconded by Director Taro and unanimously supported to refer this to the Legal Committee. Said Committee to consist of Director Bricchetto, Director Alpers and General Manager Steve Knell.



**ITEM NO. 21**  
**REVIEW BOARD POLICY ON SETTING**  
**AGENDA FOR BOARD MEETINGS**

After discussion, it was recommended that General Manager Steve Knell draft an Agenda Policy with procedures for inclusion of items into the Agenda by staff, directors and the public, and also determining factors for location of an item on the Agenda.

**DISCUSSION ITEM**  
**ITEM NO. 22**  
**REVIEW SOUTH MAIN/ROSASCO PROPERTY**

After discussion it was recommended that we look at this item in **30 days**. Director Clark asked that staff get together figures on what this project would cost, what it would entail and how much water it might save. After completion of the staff's study or project overview, this item is to be added to the Agenda for determination of the direction we wish to go on this item.

**DISCUSSION ITEM**  
**ITEM NO. 23**  
**WATER RECOVERY SYSTEMS**

General Manager Steve Knell advised the Board of the need to have an overall plan for all systems. Tim O'Laughlin concurred and advised that from a legal standpoint that this be put into a policy mode as to what the plan is and that a reclamation plan without an overall strategy plan would be pointless.

General Manager Steve Knell to work with the Water Management Committee to develop an overall strategy for our water resources. Director Clark suggested that key staff meet over a period of a few days to work on this strategic plan.

**DISCUSSION ITEM**  
**ITEM NO. 24**  
**UNION NEGOTIATIONS**

The Personnel Committee is to meet regarding the union negotiations and determine what direction we should pursue.

**DISCUSSION ITEM  
ITEM NO. 25  
ASSIGNMENTS AND PROJECTS  
O'LAUGHLIN & PARIS, LLP  
ARE WORKING ON FOR OID**

Attorney, Tim O'Laughlin gave an oral status update on the following work projects they currently have for OID:

- ?? Southeast Water District WT CEQA Litigation
- ?? South San Joaquin Irrigation District Water Treatment Plant
- ?? Fishery Studies: Fish Weir
- ?? Southeast Water District State Water Control Board Filing
- ?? CCWD State Water Control Board Filing
- ?? Alpine Water Company State Water Control Board Filing
- ?? VA Rodden State Water Control Board Filing
- ?? San Joaquin Tributaries Association
- ?? MID/OID Agreement
- ?? OID v. Cantal
- ?? ESA Issues: Steelhead – Section 7 Litigation and Salmonids
- ?? FERC/SPLAT
- ?? Hunt Wesson Foods
- ?? Hershey Chocolate
- ?? Stanislaus River Temperature Model
- ?? Annexation
- ?? PG&E/TDP FERC Relicensing Agreement
- ?? TDP Relicensing
- ?? PG&E Bankruptcy
- ?? TDPA/PG&E Agreement
- ?? Water Conversation (Annual State Water Control Board Reporting)
- ?? General: Agenda Review, Easements, Contracts, Annual Water Reports, Personnel, ACWA JPIA

**CLOSED SESSION**

At the hour of 3:00 P.M. the Board convened into closed session to discuss the following:

**ITEM NO. 26**  
**EXISTING LITIGATION**

Oakdale Irrigation District v. Cantal  
San Joaquin County Superior Court Case No. CV 006932

The Board directed Tim O’Laughlin, Esquire to offer a settlement to the Cantals’ regarding their lawsuit.

Stockton East Water District Water Rights Application  
Application to appropriate water rights from State Water Resource Control Board  
No Case Number

No action taken

SDWA vs. USA  
US District Court for the Eastern District  
Case No. CVF 995650

No action taken

SDWA vs. SWRCB  
Sacramento County Superior Court  
Coordinated Proceeding No. JC 4118

No action taken

RCRC vs. State of California  
Sacramento County Superior Court  
Coordinated Proceeding No. 4152

No action taken

At the hour of 3:45 P.M. the Board adjourned to the next **regular Board of Directors meeting** to be held on **Tuesday, February 5, 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 **February 21, 2002 at 9:00 A.M. in Oakdale.**

Attest:

\_\_\_\_\_  
Steve Knell  
Secretary

