

## MINUTES

Oakdale, California  
July 21, 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. Upon roll call, there 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  
Eric Thorburn, Water Operations Manager  
Jason Jones, Support Services Manager

Also Present: Tim O’Laughlin, Esq.

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

General Manager Steve Knell requested that Action Item No. 13 be deleted from the Agenda until there is a final ACWA Fall Conference agenda available.

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

There were no items taken out of sequence.

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

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

Linda Santos who resides at 5200 Tim Bell Road, Waterford, CA was present and stated that she had a question regarding how much water had been used so far during this irrigation season. Director Webb asked Ms. Santos to speak with Water Operations Manager Eric Thorburn following the meeting and he would answer her question.

There being no Public Comment; Public comment closed at 9:03 a.m.

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

**ITEM NO. 2**  
**APPROVE THE BOARD OF DIRECTORS' MINUTES**  
**OF THE MEETING OF JULY 7, 2015 AND**  
**RESOLUTION NOS. 2015-55, 2015-56, 2015-57, and 2015-58**

A motion was made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of July 7, 2015 and Resolution Nos. 2015-55, 2015-56, 2015-57, and 2015-58.

**ITEM NO. 3**  
**APPROVE CALPERS UNFUNDED**  
**LIABILITY LUMP-SUM PAYMENT OPTION**

A motion as made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve the CalPERS unfunded liability lump-sum payment option.

**ITEM NO. 4**  
**APPROVE OAKDALE IRRIGATION**  
**DISTRICT STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**  
**APPROVE IMPROVEMENT**  
**DISTRICT STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 6**  
**APPROVE THE TREASURER'S AND CHIEF FINANCIAL**  
**OFFICER'S REPORTS FOR THE MONTH ENDING JUNE 30, 2015**

A motion was made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve the Treasurer's and Chief Financial Officer's Reports for the month ending June 30, 2015.

**ITEM NO. 7**  
**APPROVE GROUP LIFE INSURANCE**  
**RENEWAL WITH PRINCIPAL FINANCIAL GROUP**

A motion was made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve renewal of group life insurance coverage with Principal Financial Group.

**ITEM NO. 8**  
**APPROVE REQUEST TO WAIVE SERVICE**  
**ABANDONMENT FEE (APN: 006-002-062 – WAMHOFF)**

A motion was made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve the request to waive service abandonment fee (APN: 006-002-062 – Wamhoff).

**ITEM NO. 9**  
**APPROVE ENCROACHMENT PERMIT ON THE WIRTH**  
**PUMP PIPELINE AND THE MOOTZ PIPELINE (APN: 062-028-013 – JOE**  
**G. OLIVEIRA AND UMBELINA M. OLIVEIRA 2002 FAMILY TRUST,**  
**JAMES A OLIVEIRA, JOSEPH A. OLIVEIRA, AND JENICE A. PANTIAGUA)**

A motion was made by Director Clark, seconded by Director Doornenbal, and unanimously supported to approve the Encroachment Permit on the Wirth Pump Pipeline and the Mootz Pipeline (APN: 062-028-013 – Joe G. Oliveira and Umbelina M. Oliveira 2002 Family Trust, James A. Oliveira, Joseph A. Oliveira, and Jenice A. Pantiagua).

**ACTION ITEMS**  
**ITEM NO. 10, 11, 12, 13**

**ITEM NO. 10**  
**REVIEW AND TAKE POSSIBLE ACTION ON REQUEST OF**  
**CAROL GRIESNER DAVIS FOR CATTLE WATER**  
**(APNS: 011-011-026/029/035/036/037/038/039 – BACH FAMILY WATER RIGHTS)**

Ms. Denise Davis Ray and Ms. Carol Griesner Davis, heirs of the William F. Bach family, submitted correspondence to OID on April 10, 2015 requesting the “free use of water” for their livestock in accordance with two 1911 Indentures, recorded under Instrument #1991-1772 and Instrument #1911-6341 (1911 Indentures), between OID and members of Bach family. OID’s South Main Canal right of way was acquired from the Indentures through the APNs noted above (formally APNS 011-001-026/027/028/029).

These indentures allow, “...for the right to free use of water for domestic purposes and for all stock from said canal during such time of the year that water is carried through said canal.”

Ms. Griesner Davis has requested that cattle water under these indentures be taken from the South Main Canal and be delivered through the private Hunter Ditch to their property north of Highway 108/120 (APNS: 002-045-005/006 & 002-046-002). Please refer to the attached Google Earth Site Map for clarification.

In OID's May 20, 2015 correspondence, OID explains that the obligation for water per the 1911 Indentures were only applicable to those lands through which the water-way was constructed and the right-of-way was established. Ms. Davis disagreed with that position and subsequently attended the Water Committee meeting on June 2, 2015 to discuss her interpretation of the Bach Family water rights as it pertained to the 1911 Indentures.

The Water Committee agreed with staff's position and directed staff to ensure the continuation of making water available for domestic purposes and all stock (including poultry in #1911-6341) in the South Main Canal as it flowed through the parcels on which OID's facility was constructed and established.

Upon receipt of the attached June 19, 2015 OID Correspondence, Ms. Griesner Davis attended the July 7, 2015 Board meeting and made it clear during the public comment period that she again disagreed with the Committee's direction and requested that action be taken by the full Board of Directors to address her issue.

Staff's position is unchanged and supports a denial of Ms. Griesner's request because her request is outside the scope and limitations of the original indentures upon which the South Main Canal rights-of-way were acquired.

Ms. Carol Griesner Davis and Ms. Denise Davis Ray were present at the Board Meeting and discussed their request with the Board.

A motion was made by Director Clark and seconded by Director Bairos to provide the Davises' water for their cattle and other domestic livestock out of the Hunter Ditch until the end of the 2015 irrigation season and to resolve this matter prior to the start of the next irrigation season, and was voted as follows:

Ayes:	Directors Clark, Bairos, Osmundson
Noes:	Directors Doornenbal, Webb

Motion passed by a vote of 3-2.

**ITEM NO. 11**  
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION**  
**SUPPORTING THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
**STANISLAUS URGENCY ORDINANCE RELATED TO WATER CONSERVATION**

On April 1, 2015, Governor Brown issued a new Executive Order (Order) that directed the State Water Resources Control Board (SWRCB) to impose restrictions on urban water suppliers to achieve statewide water reductions. In response to the Order, the SWRCB adopted Resolution No. 2015-0032 (SWRCB Resolution) as an emergency regulation for

statewide urban water conservation. The SWRCB Resolution is attached for clarification. To conform to emergency regulation, Stanislaus County adopted the attached Urgency Ordinance Related to Water Conservation (Ordinance). Amongst other restrictions, the Ordinance limits outdoor watering to two days a week.

OID is the trustee for 6 Improvement Districts (368 domestic water connections) and is the owner and purveyor for another 474 domestic water connections within OID's Rural Water System (RWS). Given the limited number of connections, OID has historically deferred to the Stanislaus County Code for Water Conservation (Chapter 14.12) as the guidelines for the watering restrictions and regulations in those areas. To keep them informed, the landowners in both the IDs and RWS have also historically been provided with the Stanislaus County (County) Department of Environmental Resources' newsletters as an enclosure with their monthly billing. The County's Ordinance was also provided on June 1<sup>st</sup> as a separate water users notice.

At the July 7<sup>th</sup> Water Committee meeting OID's Water Committee was provided an update of the additional actions that are being taken in the domestic water systems this year. At the Committee's recommendation, this information is now being provided as an update for the full Board of Directors. In addition, Board action to adopt the attached Resolution to support the County's Ordinance is also being requested. If adopted, OID would essentially continue to field and respond to complaints and assist in patrolling in those areas as it has in the past; however, violators would ultimately be reported to the County DER for enforcement.

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to adopt the Resolution Supporting the Board of Supervisors of the County of Stanislaus Urgency Ordinance Related to Water Conservation.

**ITEM NO. 12**  
**REVIEW AND TAKE POSSIBLE ACTION ON**  
**THE PURCHASE OF A REPLACEMENT TCC® SERVER**

OID's canal automation heavily relies on the hardware infrastructure for monitoring and remote gate control. The server that holds all of the historical data and provides the processing of data for automation is the center of this infrastructure. This server is nearing the end of life and the warranties are increasing in cost. This server recently experienced a hardware failure that completely brought the SCADA system down. OID staff was able to get the server running again, however, there is a high probability that this server's motherboard and/or memory is failing. In order to avoid downtime during the irrigation season and the fact that this server is at the end of life Staff recommends purchasing this server as soon as possible.

A motion was made by Director Bairos, seconded by Director Osmundson, and unanimously supported to approve the purchase of a replacement TCC® Server.

**ITEM NO. 13**  
**REVIEW AND TAKE POSSIBLE ACTION TO APPROVE ATTENDANCE**  
**AT THE ACWA FALL CONFERENCE IN INDIAN WELLS ON DECEMBER 1-4, 2015**

The ACWA Conference is scheduled for December 1-4, 2015 in Indian Wells, CA.

This item was deleted from the agenda until a final ACWA Fall Conference Agenda is available.

**DISCUSSION**  
**ITEM NOS. 14**

**ITEM NO. 14**  
**DISCUSSION ON TRI-DAM BUSINESS ITEMS AS THEY**  
**APPEAR ON THE TRI-DAM BOARD AGENDA FOR WEDNESDAY, JULY 22, 2014**

This item was placed here for the Board to discuss Tri-Dam business items

Director Webb reminded the Directors that the Tri-Dam Meeting was tomorrow in Strawberry.

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

**A. GENERAL MANAGERS REPORT**

General Manager Steve Knell introduced the newly hired Assistant Water Operations Manager A. J. Borba to the Directors.

**Safety Activities**

1. OID has gone 167 days without a lost time injury accident.

**Administration Activities**

1. The Candidate Filing period for the November ballot opened Monday, July 13<sup>th</sup> and will last to Friday, August 7<sup>th</sup>. OID Directors up for election include Director Clark and Bairos for 4-year seats and Director Osmundson for the remaining 2-year seat of Division 5.
2. Provided a letter of support for HR 2898 the Western Water and American Food Security Act of 2015. This House drafted legislation has the predator suppression language and other measures we've requested on the Stanislaus River. Hoping to become the California example of river management techniques that advance fisheries with no additional water. House vote to move to Senate is Friday the 17<sup>th</sup>.
3. Attended a Water Forum at the Gallo Center on July 15<sup>th</sup>.
4. SJTA Commissioners meeting to be held on July 20<sup>th</sup>.
5. Tri Dam Meeting to be held in Strawberry on July 22<sup>nd</sup>.
6. Speaking to the Oakdale Realtors Association on July 30<sup>th</sup>.

### **Construction Activities**

1. C&M crews and equipment operators are working on JSF's generated by Water Dept. staff.
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. The OID Pest. Dept. continues to apply Magnacide H to District facilities.
6. The contractor for Fields Ranch completed the tasks outlined in the Agreement. The contractor did an excellent job gaining back drive able access on the North Main Canal.
7. Conducted a pre-bid project site visit on July 16<sup>th</sup> for the placement of asphalt through the Oak Grove Cemetery in Knights Ferry. Bid opening closes on July 27<sup>th</sup> at 2 pm and will be presented to the BOD on August 4<sup>th</sup> for approval to award the bid to the lowest responsive bidder.

### **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. After approval of the Negative Declaration at the July 7<sup>th</sup> Board meeting, the Notice of Determination will now be posted at the OID office, the Stanislaus County Clerk/Recorders Office, and the San Joaquin County Clerk/Recorders Office for 30 days to complete the CEQA process for the Additional and Fringe Parcels Annexations Project. The next step will be preparation of the legal description and maps of lands to be annexed.
4. Responded to and commented on several requests for information and proposed parcel splits and lot line adjustments.

#### **Ag Water**

1. Continued to research and respond to miscellaneous irrigation and maintenance issues and inquiries.
2. Responded to and addressed misc. SCADA operation and control issues as they arose.
3. SCADA/IT staff continued to work with Water Operations personnel to make updates, modifications and corrections to the new STORM volumetric tracking and billing application data.
4. As of July 16<sup>th</sup>, mock bills showing water usage and charges based on the proposed water rate for 2016 were issued to 9 out of 10 DSO Divisions. Water Operations staff responded to several inquiries mainly regarding flow rates and hours.
5. Continued to process Farmer to Farmer Transfer Program Application Agreements. Approximately 30 agreements have been processed to date to allow water to move in-district from parcel to parcel.
6. OID Engineering Intern, Greg Borba, continued to assist Water Department staff in updating, correcting and modifying data input into the STORM software.

7. The Water Operations Manager met with staff from LAFCO and the City of Oakdale along with a few members of ID 41 to discuss the proposed connection to the City's water system. The out of boundary service agreement will need to be between the City and OID on behalf of ID 41 per LAFCO standards. A draft agreement is anticipated to be provided by the City for OID's review in the next few weeks.
8. The ninth rotation (tenth of the 2014/15 water year) is a 13 day rotation and started on or about July 19<sup>th</sup>. The tenth rotation will start on or about August 1<sup>st</sup> and will be 13 days.

### **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:
  - Monthly Coliform Bacteria water quality samples were collected on Monday, July 6<sup>th</sup>. No problems were detected.
  - Finished annual testing of backflow assemblies.
  - Continued to investigate water waster complaints.
4. Rural Water System No. 1 / Schwartz Subdivision:
  - Developer continues to work on the project.
5. On-Call Activities:
  - Nothing to Report.
6. Aquatic Pesticide Application Plan:
  - a. The initial sets of water quality samples for the South Main Canal were collected on Wednesday, July 15<sup>th</sup>.
7. Irrigation Pumping Stations:
  - WUD continues to perform routine inspection, servicing and security checks on the irrigation pumping stations. There is nothing unusual or out of the ordinary to report other than the items listed below:
    - The Brady River Pump remains out of service due to low river water levels.
    - The rebuilt flow meter has been re-installed on the Hirschfeld Deep Well Pump.
    - The flow meter at the Thornton Deep Well Pump has been pulled and sent in for repairs.
    - The MCP hour meter on the Huffman Deep Well Pump was replaced.
    - The cooling fan at the Harter Reclamation Pump has failed. Replacement parts have been ordered, the site remains operational.

### **Finance Activities**

1. Sent out the "mock volumetric" billing for Divisions 3, 6, 7, 8, 9, and 10 for the period 03/15/15 – 05/31/15 the week of July 13<sup>th</sup>.
2. Evaluating accounting processes and procedures that need to be updated.
3. Assisting Water Operations in processing Farmer-to-Farmer Water Transfer Agreements.
4. 2016 budget preparation.



**B. WATER COUNSEL'S REPORT**

Water Counsel Tim O'Laughlin was present and gave the Board an update on the status of water activities.

**C. COMMITTEE REPORTS**

There were no Committee Meetings.

**D. DIRECTORS' COMMENTS/SUGGESTIONS**

There were no Directors' comments and/or suggestions.

At the hour of 10:15 a.m. the meeting adjourned to Closed Session.

**CLOSED SESSION**  
**ITEM NO. 16**

**A. Government Code §54956.8 Conference with Real Property  
Negotiator**

Negotiating Parties: OID and Pires, Joe  
Property: APNS: 014-004-012  
Under Negotiations: Price and terms

**B. Government Code §54956.8 Conference with Real Property  
Negotiator**

Negotiating Parties: OID and Pires, Gregory  
Property: APNS: 014-004-014  
Under Negotiations: Price and terms

**C. Government Code §54956.8 Conference with Real Property  
Negotiator**

Negotiating Parties: OID and Oliveira, Egidio  
Property: APNS: 014-016-020/021  
Under Negotiations: Price and terms

**D. Government Code §54956.8 Conference with Real Property  
Negotiator**

Negotiating Parties: OID, BOR, City and County of San Francisco,  
San Luis Delta Mendota Water Authority,  
Stockton East Water District, State Water  
Contractors, Del Puerto Irrigation District  
Water  
Property:  
Agency Negotiators: General Manager and Water Counsel  
Under Negotiations: Price and Terms

**E. Government Code §54956.9  
Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of  
§54956.9  
One (1) Case**

**F. Paragraph (1) of Subdivision (d) of Government Code §54956.9  
Existing Litigation**

- (1) *San Joaquin Tributaries Authority, et al. v. California State Water Resources Control Board, et al.*

At the hour of 12:09 p.m. the meeting returned to open session.

Coming out Closed Session President Webb reported that the Board by a vote of 5-0 unanimously approved staff moving forward with the purchase of the easements for the Kuhn Lateral Project.

**OTHER ACTION**  
**ITEM NO. 17**

The meeting adjourned at the hour of 12:09 p.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, August 4, 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 **Wednesday, July 22, 2015 at 9:00 a.m.** in the board room of the Tri-Dam Project, 31885 Old Strawberry Road, Strawberry, CA.

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Steve Webb, President

Attest:

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Steve Knell, P.E., Secretary