

## MINUTES

Oakdale, California  
May 21, 2013

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: Frank B. Clark, President  
Steve Webb, Vice President  
Al Bairos, Jr.  
Jack D. Alpers  
Herman Doornenbal

Staff Present: Steve Knell, General Manager/Secretary  
John Davids, District Engineer  
Jason Jones, Support Services Manager  
Kathy Cook, Chief Financial Officer/Treasurer  
Gary Jernigan, Contracts/Special Projects Manager  
Eric Thorburn, Water Operations Manager

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

There were no additions or deletions to agenda items.

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

There were no items taken out of sequence.

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

### **PUBLIC COMMENT ITEM NO. 2**

Tom Orvis, Stanislaus County Farm Bureau was present and gave the Board an update on the Ag Water Quality Coalition. He stated that there were still a few gaps and there were some people that did not apply by the deadline date and the State has asked for the names of those individuals. He thanked the District for their assistance in forwarding the information to its constituents.

There being no further Public Comment; Public Comment closed at 9:02 a.m. and the Board Meeting continued.

**CONSENT ITEMS**

**ITEM NOS. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14**

**ITEM NO. 2**

**APPROVE THE BOARD OF DIRECTORS'  
MINUTES OF THE REGULAR MEETING OF  
MAY 7, 2013 AND RESOLUTION NOS. 2013-28 AND 2013-29**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of May 7, 2013 and Resolution Nos. 2013-28 and 2013-29.

**ITEM NO. 3**

**APPROVE OAKDALE IRRIGATION  
DISTRICT STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 4**

**APPROVE THE IMPROVEMENT DISTRICT  
STATEMENT OF OBLIGATIONS**

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

**ITEM NO. 5**

**APPROVE THE TREASURER AND  
CHIEF FINANCIAL OFFICER'S REPORT  
FOR THE MONTH ENDING APRIL 30, 2013**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the month ending April 30, 2013.

**ITEM NO. 6**

**APPROVE IRRIGATION OF A  
SUBSTANDARD PARCEL (APN: 006-091-005 – MOORE)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve irrigation of a substandard parcel (APN: 006-091-005 – Moore).

**ITEM NO. 7**

**APPROVE IRRIGATION OF A  
SUBSTANDARD PARCEL (APN: 010-003-049 – STEVER)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve irrigation of a substandard parcel (APN: 010-003-049 – Stever).

**ITEM NO. 8**  
**APPROVE NEW DIRECTORS' DIVISION MAP FOR TWO (2)**  
**ANNEXATIONS (APN: 002-052-022 – JOSLIN AND APNS: 015-003-004,**  
**015-081-001/002/044/045/046 – V.A. RODDEN, INC.)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve new Directors' Division Map for two (2) annexations (APN: 002-052-022 – Joslin and APNS: 015-003-004, 015-081-001/002/044/045/046 – V.A. Rodden, Inc.).

**ITEM NO. 9**  
**APPROVE AGRICULTURAL DISCHARGE PERMIT**  
**ON THE WEST PUMP PIPELINE NO. 2 (APN: 064-010-023 – HOLTZ,**  
**L. DOUGLAS AND ZHIDA SONG JAMES LIVING TRUST)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve Agricultural Discharge Permit on the West Pump Pipeline No. 2 (APN: 064-010-023 – Holtz, L. Douglas and Zhida Song James Living Trust).

**ITEM NO. 10**  
**APPROVE ENCROACHMENT PERMIT ON THE**  
**WEST PIPELINE NO. 2 (APN: 064-010-023 – HOLTZ, L.**  
**DOUGLAS AND ZHIDA SONG JAMES LIVING TRUST)**

A motion was made by Director Webb, seconded by Director Doornenbal Webb, and unanimously supported to approve Encroachment Permit on the West Pipeline No. 2 (APN: 064-010-023 – Holtz, L. Douglas and Zhida Song James Living Trust).

**ITEM NO. 11**  
**APPROVE STORM DRAINAGE AGREEMENT ON THE LANGWORTH**  
**PIPELINE (APN: 062-010-026 – GORDON BRAKER PLUMBING CONTRACTOR, INC.)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve Storm Drainage Agreement on the Langworth Pipeline (APN: 062-010-026 – Gordon Braker Plumbing Contractor, Inc.).

**ITEM NO. 12**  
**APPROVE FENCE AGREEMENT ON THE RIVER ROAD LATERAL**  
**(APN: 006-008-048 – ROSENDO SALDIVAR FAMILY TRUST)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve Fence Agreement on the River Road Lateral (APN: 006-008-048 - Rosendo Saldivar Family Trust).

**ITEM NO. 13**  
**APPROVE QUITCLAIM OF GRIFFIN DRAIN**  
**EASEMENT (APN: 002-051-017 – HUDELSON COMPANY)**

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve Quitclaim of Griffin Drain Easement (APN: 002-051-017 – Hudelson Company).

**ITEM NO. 14**  
**APPROVE QUITCLAIM OF GRIFFIN DRAIN ENCROACHMENT**  
**AGREEMENT (APN: 002-051-017 – HUDELSON COMPANY)**

A motion as made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve Quitclaim of Griffin Drain Encroachment Agreement (APN: 002-051-017 – Hudelson Company).

**ACTION CALENDAR**  
**ITEM NO. 15, 16, 17**

**ITEM NO. 15**  
**REVIEW AND TAKE POSSIBLE ACTION CONCERNING**  
**UNAUTHORIZED ENCROACHMENTS (APN: 006-082-001 – SHIVELY)**

Since April 3, 2012, Oakdale Irrigation District (OID) Staff has been working diligently to bring resolution to the unauthorized encroachments along and across OID's Burnett Lateral through the above noted parcel. For a chronological summary of events, please refer to the attached documentation. Despite preparing the necessary draft Encroachment Permit for the landowner and our repeated attempts to bring closure to this issue, Staff has made no progress. As a result of this and at the recommendation of the Water Committee (5/7/13 meeting), Staff is seeking input from the entire Board of Directors (Board) with respect to how you wish to proceed.

Sandra Shively McFarren was present at the Board Meeting and stated that her attorney would like a 30-day extension to finalize the Encroachment Agreement

Staff was available to answer any questions that the Board may have.

A motion as made by Director Webb, seconded by Director Doornenbal, and unanimously supported to give the landowners an additional thirty (30) days to execute the Encroachment Agreement. If the agreement is not signed within this time period the District will remove the encroachment.

**ITEM NO. 16**  
**REVIEW AND TAKE POSSIBLE ACTION ON A**  
**ONE-TIME CLEANING OF LONE TREE CREEK**  
**THROUGH DRIVDAHL PROPERTY (APN: 002-010-053)**

Mr. Alvin Nunes, tenant of the parcel noted above, has been experiencing issues related to the water in Lone Tree Creek (LTC) as a result of some beavers in the area. The beavers have been building dams through, and adjacent to, the property which has increased the amount of debris that flows down the creek and has periodically caused water to back up at the dams and the private cattle crossings in the creek. Mr. Nunes believes OID should be responsible for eradicating the beavers and maintaining LTC. While OID has a total of five (5) reclamation facilities on LTC, the creek has never been adopted as an OID facility. Upon further review, OID staff has determined LTC to be "waters of the United States" under the regulatory authority of the Central Valley Flood Protection Board under Title 23 in San Joaquin County, U.S. Army Corps of Engineers and California Department of Wildlife. Please refer to the attached April 29, 2013 Memorandum for clarification.

Mr. Nunes attended the May 7<sup>th</sup> Water Committee meeting to voice his opinion. Upon review, the Water Committee has requested input from the full Board of Directors as to whether a one-time cleaning of LTC through the limits of the parcel should be provided. Should the Board wish to proceed with a one-time cleaning, staff will seek direction from the applicable regulatory agencies to obtain any necessary permits prior to performing the work. OID staff now seeks direction from the full Board of Directors as to how they wish to proceed.

A motion was made by Director Bairos and was seconded by Director Alpers to deny the one-time cleaning of Lone Tree Creek through Drivdahl Property (APN: 002-010-053) and was voted as follows:

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

The motion passed by a vote of 3-2.

**ITEM NO. 17**  
**REVIEW AND TAKE POSSIBLE ACTION TO**  
**REESTABLISH IRRIGATION TO MR. JON MORENO (APN: 006-001-051)**

Board action was taken at the May 15, 2012 Board Meeting to restore water service to Jon Moreno's property under the condition that if he flooded his neighbor, Mr. Gulley, again that irrigation deliveries from OID would cease until Mr. Moreno's property was laser leveled and had been approved by District staff to provide certainty that it would not happen again. Mr. Gulley was flooded shortly thereafter on May 26<sup>th</sup> and Mr. Moreno's turnout gate was locked shut at that time. Please refer to the attached Technical Memorandum for clarification.

Jon Moreno's mother and father, who also live on the property, attended the OID Water Committee meeting on May 7<sup>th</sup> to request that irrigation service be reestablished to the

Moreno property. While little work has been done, Jon's father, Mac Moreno, has implied that he will now be the irrigator on the property and can provide certainty that no future flooding issues will occur. Upon review and discussion, the Water Committee made it clear that if irrigation service was reestablished to the property and the Morenos were to flood Mr. Gulley in the future, regardless of the severity, water deliveries to this parcel would cease immediately. However, the Water Committee requested input from the full Board of Directors as to whether irrigation service should be reestablished in the future and the consequences if any future flooding incidents were to occur. OID staff now seeks direction from the full Board of Directors as to how they wish to proceed.

Mr. Moreno and his son Tony were present at the meeting. Post preparation of this Board Agenda it had come to light that a subsequent flooding of the Gulley property had occurred. Upon investigation it was discovered that the concrete plug inserted into the Moreno's delivery pipe last year had a hole poked through it as if from a pick axe. It was also noted that bricks were placed in front of the opening to control the flow of water because the gate was removed upon the plugs installation. The neighbor's gate, which had been locked, was tampered with and relocked to allow a small flow to get through and onto the Moreno's property through a ditch "someone" had constructed. No one in the Moreno family that was present knew anything except the hole in the plug was likely "poor workmanship" on the part of the crew that installed it. The information did not sit well with the Board.

A motion was made by Director Alpers, seconded by Director Bairos, and unanimously supported to discontinue irrigation service to Mr. Moreno's property for the remainder of the irrigation season. Irrigation Service to be reestablished upon approval by Staff of the improvements made to the property in question and the "certainty" upon completion that Mr. Gulley's property would not be flooded after said improvements were installed.

## **ITEM NO. 18** **COMMUNICATIONS**

### **A. GENERAL MANAGERS REPORT**

The General Manager Steve Knell briefly discussed the Washington DC trip and stated that Tim O'Laughlin, Water Counsel, will be present at the June 18, 2013 Board Meeting to give a presentation on the trip. General Manager Steve Knell stated that they received a lot of support back east on their requests for moving the Bureau forward on developing an Operations Plan for New Melones and in acquiring a Warren Act Contract for storage in New Melones.

#### **Safety Activities**

1. OID has gone 17 days without a lost time injury accident.

#### **Administration Activities**

1. The General Manager attended the ACWA Spring Conference in Sacramento May 8, 9, and 10, 2013.
2. The General Manager and Mr. O'Laughlin were in Washington D.C. during the week of May 13<sup>th</sup> through May 17<sup>th</sup> pushing the New Melones Ops Plan, 1988 Agreement issues, and Warren Act Contract access issues.

### **Contract and Special Project Activities**

1. Two-Mile Bar Tunnel (CEQA & Engineering) – No change from the previous period. Information requested by the Corps was transmitted to Corps by CH2M HILL. The Corps has requested information based on the final design which will not be available until late June or July.
2. Two-Mile Bar Tunnel Final Design – The design process continues. OID received the 90% drawings for review and comments on April 8, 2013. Comments were provided to Condor and the drawings were issued again on April 22, 2013. The review process was completed on May 17, 2013 and returned to Condor on May 20, 2013. The specification writing progress slipped a few days with the effort being focused on the design and drawing development and will slip further with the return of the OID comments. The construction access routes and locations have been finalized based on the construction and permanent easements granted by Hodgdon Enterprises. The Geotechnical Baseline Report (GBR) development continues in conjunction with the final design will slip two weeks. The Cost Estimate continues with a completion slipping until middle of June. Prior to the final design being completed, a meeting will be held with Hodgdon Enterprises to discuss the laydown area and site access. This meeting is tentatively scheduled for the first week in June. The final estimate will be completed on July 12, 2013. The final design and contract documents completion has slipped until August 2, 2013. Progress continues but has slipped on all Tasks by two (2) weeks with the end dates as follows:

- Task 1 – 90% design will be completed on April 14, 2013. Completed
- Task 2 – 90% Construction Cost will be completed on June 14, 2013.
- Task 3 – Geotechnical Baseline Report (GBR) will be completed on or before on June 14, 2013.
- Task 4 – 100% Design Plans and Specs and Contract Documents will be completed on or before July 21, 2013.

The next progress meeting is scheduled for May 23, 2013.

3. Beardsley Reservoir Recreational Improvements – Ford Construction started the work on April 15, 2013. As of May 1, 2013, 34% of the Beardsley Campground was completed with an overall project completion of 10.4%. Due to four (4) rain days since May 6, the work is progressing and will be substantially complete with some minor exceptions. Work began on the Black Oak Flat Campground on May 15, 2013 with the Clearing, grubbing and logging starting. The original start date was June 10, 2013. The work is progressing with a scheduled completion date of May 23, 2013. In spite of the initial delays, rain and field design, the work progressed to almost back on schedule. As previously stated, the Beardsley Campground is will be completed with exception and opened for campers on the Memorial Day weekend.

The Construction Staff is working through the claims and change orders. Some are legitimate and the Contractor is entitled to some compensation. Two claims were discussed and withdrawn and one claim is being negotiated based on the alleged Additional Quantities. Meetings were held on May 15<sup>th</sup> with action required from both parties. The claim for acceleration discussed in the previous GM Report has since been settled with no cost or time extension.

4. Willms Ranch Access Easement – No actions since last report as the Willms continue their legal issues. In recent communications, the Willms LLC stated they would have no objections with OID using the route previously used around the 2<sup>nd</sup> Concrete Flume for

limited work up to a couple of days but still wanted notification in advance. Anything longer would require further discussions. Further communications indicated OID may want to obtain an appraisal of the property for negotiations.

5. New Office Project Development – A contractor was selected to remove the siding from the existing building that is coated with asbestos paint. Work will be completed by June 1, 2013.
6. District Standard Specifications – No activity this period.
7. Contract Administration activities on contracts to be renewed and/or issued, Work Releases and Change Orders for all contracts.

### **Construction Activities**

1. The selected employees to become certified to operate the District's crane truck are receiving their test results, so far there are three employees that have passed the practical exam and have become certified crane operators.
2. Conducting numerous landowner meetings.
3. OID forces are working on completing routine maintenance and job set up forms prepared by Water Dept. staff.
4. Kaufmann & Greger Property – PG&E completed the removal of the power pole, this completes PG&E's portion. SJVAPCD conducted an inspection of the existing building and concurred that there is less asbestos coated tin than originally determined during the inspection by HMS, Inc. PARC Environmental is scheduled to conduct the asbestos coated tin removal on 5/15. OID forces conducted weed abatement on the property. Once notice is given by SJVAPCD that the building is asbestos free I will move forward with the permit process for demolition.
5. Reviewing project close out costs.
6. West Pump Pipeline – This project was funded by the City of Oakdale and has been completed by OID forces. Final job walk inspection was completed on 5/10 with me and G&K, Inc. Finance Dept. is preparing final project costs for review.
7. The repairs to the District's Kobelco 115 excavator have been completed and are under budget. The new machine approved for purchase by the BOD has been ordered and should arrive next month.
8. OID forces conducted the repair to the Knights Ferry Town Line on 5/14 on the Martinelli property.

### **Engineering Activities**

1. SBX7-7 – Turnout location and number of turnout per parcel being documented/verified for second statistically representative sample. Summary memo and field verification of FlumeMeter installation applicability to follow. Reviewing revised EWMP documentation provided by DWR.
2. Irrigated Lands Coalition – Continued participation at both the ESJWQC and Delta Coalition as necessary. JBD attended the 5/13/13 Delta Coalition meeting.
3. Boatright – Final PSA signed and approved by the Board. Escrow opened 5/8/13.
4. Knights Ferry – Signed Valencia and Cemetery PSA received. Eakin plat and legal finalized and ready for insertion into final settlement docs.
5. Trinitas – Annexation Agreements signed by Trinitas and waiting for signature by GM following receipt of all Subordination Agreements. SOI and Annexation to LAFCO at their July 24<sup>th</sup> meeting. Payment schedules have been revised to show first annexation installment due by September 1, 2013.



6. Rate Study – DRAFT Rate Study received from CH on 2/18 and Management Staff currently reviewing.
7. Landuse Conversion – Continuing to work with landowners, tenants, irrigation design companies and Support Services/Water Operations concerning ongoing and future landuse conversion projects.
8. STANCO Groundwater Export Ordinance – 5/23/13 meeting cancelled. Next meeting set for 6/3/13 at Stanislaus County Farm Bureau. TID, MID and OID submitted comments on the most recent draft in an effort to again narrowly focus the intent to the mining of groundwater within STANCO for the sole purpose of export outside STANCO.
9. Engineering working with landowners on encroachment signage and project close-out.
10. Thompson – Revised DRAFT Cattle Water Agreement submitted to GM for review.
11. JBD to attend Stanislaus River and SSJID Water Efficiency Tour on 5/24/13.  
JBD attended City of Oakdale Public Hearing on their 2030 General Plan Update.

### **Water Operations Activities**

#### **Aq Water**

1. Continued to research and respond to irrigation inquiries regarding new connection possibilities, disconnects and past irrigation practices.
2. Continued to research and respond to miscellaneous irrigation and maintenance issues. Completed paperwork to coordinate repairs to OID facilities with the C&M Department.
3. Met with Mr. Fields and finalized a draft OID Service Agreement for the Fields Ranch. The Agreement will be added to the June 4<sup>th</sup> Water Committee meeting for review and discussion before final approval by the full Board.
4. A follow-up meeting was held on May 14<sup>th</sup> with Springbrook staff along with the OID CFO and SCADA/IT Coordinator to clarify options for billing volumetrically.
5. Boundary outflow monitoring site data acquisition was completed for the month of April.
6. Pest Department staff continued to fill-in for DSOs as needed and while the new employee is trained. Post-emergent and berry control applications continued.
7. The sixth rotation in 2013 (seventh of the 2012-13 irrigation season) started on or about May 14<sup>th</sup> and is a 12-day rotation. The seventh rotation will be another 12-day rotation beginning on or about May 26<sup>th</sup>.

#### **Water Utilities**

1. Improvement District No. 41:
  - Pumping Station No. 3 remains out of service due to high turbidity issues.
  - Continued to monitor small leak on the water storage tank at the Well No. 1 Station. The tank remains in service and under observation.
2. Rural Water System No. 1:
  - The Country Oak Pumping Station was out of service from May 3<sup>rd</sup> to May 6<sup>th</sup>, while PG&E replaced power poles in the area.
  - The Olive Ranch Pumping Station was out of service on May 7<sup>th</sup> while PG&E replaced power poles in the area.
3. Domestic Water Systems:
  - Monthly Coliform Bacteria Water Quality samples were collected on Monday, May 6<sup>th</sup>. No problems were detected. All water systems under OID's jurisdiction are operating without restrictions.

- Quarterly Nitrate Water Quality samples were collected on Monday, May 6<sup>th</sup>. Test results are still pending.
4. Domestic Water Pumping Stations:
    - Staff continues to conduct weekly inspection, servicing and security checks of the pumping stations. There is nothing unusual or out of the ordinary to report.
    - Hillsborough Estates #1 Pumping Station: Discovered the block heater on the stand-by generator had failed during weekly routine servicing. The site remains operational until repairs can be completed.
    - Improvement District 46 Pumping Station #2: Performed annual maintenance procedures on the VFD.
  5. On-Call Activities:
    - Friday, May 3<sup>rd</sup>, Staff responded to a call regarding a broken pipeline which ended up being a leaky sprinkler system.
  6. North Main Deep Well Project:
    - The site passed electrical inspection by Stanislaus County on May 2<sup>nd</sup>.
  7. Irrigation Pumping Stations:
    - Staff continues to conduct weekly inspection, servicing and security checks of the pumping stations. There is nothing unusual or out of the ordinary to report.
    - Performed annual maintenance procedures to the VFDs at the Crawford River Pump, Furtado Deep Well Pump and the Clavey #1 Booster Pump.

### **Financing Activities**

1. Rural water late fees-April billing
  - a. Late payments – 26
  - b. 15-days notices – 12
  - c. 48-hours shut off notices – 2Rural Water buy-in fees paid Jan-April 2013 - \$70,000 (14)
2. Routine accounting functions (AP, AR, PR, billings, account reconciliations, etc.)

### **B. COMMITTEE REPORTS**

Water Committee, May 7, 2013, 1:30 p.m.

- Review Huffman Drain Abandonment Request (APNS: 229-012-020, 229-013-040/041/067 – Jerry Da Silva)
- Review Status of Shively's Encroachments (APN: 006-082-001)
- Review Ownership of Gulley Drain (APN: 002-015-048 – Gulley)
- Maintenance of Lone Tree Creek (APN: 002-010-053 – Alvin Nunes)
- Moreno Reoccurring Flooding Issue (APN: 006-001-051 – Moreno)

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

#### Director Bairos

Director Bairos wished District Engineer good luck in his new position and stated that he would be missed.

Director Webb

Director Webb agreed with Director Bairos' comments.

**ITEM NO. 1**  
**OTHER ACTION**

The meeting adjourned at the hour of 10:05 a.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, June 4, 2013 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, June 20, 2013 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

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Frank Clark, President

Attest:

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Steve Knell, P.E., Secretary