

MINUTES

Oakdale, California
September 20, 2011

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

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

ADDITION OR DELETION OF AGENDA ITEMS

There was no addition or deletion of agenda items.

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

There being no public comment, public comment closed at 9:01 a.m.

Director Webb requested that Item No. 6 be pulled from the Consent Calendar.

CONSENT ITEMS
ITEM NOS. 2, 3, 4, 5, 7

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES
OF THE REGULAR MEETING OF SEPTEMBER 6, 2011
AND RESOLUTION NOS. 2011-40 AND 2011-41

A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to approve the Board of Directors' Minutes of the Regular Meeting of September 6, 2011 and Resolution Nos. 2011-40 and 2011-41.

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

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

ITEM NO. 4
APPROVE IMPROVEMENT
DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 5
APPROVE TREASURER AND CHIEF FINANCIAL
OFFICER'S REPORT FOR THE MONTH ENDING AUGUST 31, 2011

A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the month ending August 31, 2011.

ITEM NO. 7
APPROVE AMENDMENT NO. 001 TO
PROFESSIONAL SERVICES AGREEMENT 2009-PSA-003
WITH CONDOR EARTH TECHNOLOGIES TO ADD
ADDITIONAL CLASSIFICATIONS TO THE RATE SCHEDULE

A motion was made by Director Alpers, seconded by Director Clark, and unanimously supported to approve Amendment No. 001 to Professional Services Agreement 2009-PSA-003 with Condor Earth Technologies, Inc., to add additional classifications to the rate schedule.

**ACTION CALENDAR
ITEM NOS. 6, 8, 9, 10**

**ITEM NO. 6
APPROVE RENEWAL OF MEMBERSHIP DUES
WITH CALIFORNIA FARM WATER COALITION FOR 2011**

Director Webb asked if the District was requesting approval of its membership with the California Farm Water Coalition in the sum of \$3,000. General Manager Steve Knell stated yes.

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to approve renewal of the District's membership dues with the California Farm Water Coalition for 2011 in the sum of \$3,000.

**ITEM NO. 8
REVIEW AND TAKE POSSIBLE ACTION
ON REQUEST FOR AN OUT-OF-DISTRICT SURFACE
IRRIGATION AGREEMENT FOR A SUBSTANDARD
PARCEL (APN: 010-035-014 – BROCK)**

On September 6, 2011 the Oakdale Irrigation District (OID) Water Committee and Staff met with Mr. Brock to discuss his illegal encroachments within OID's Lesnini Lateral No. 1 and subsequently his unauthorized use of irrigation water on a parcel which is out of OID's service area. As noted in Mr. Brock's correspondence and as reiterated at the Water Committee meeting, Mr. Brock has spent thousands of dollars in his current irrigation system and thought that since the canal went through his parcel, he had rights to the water flowing within. Please note that his pump is not on his parcel, but rather resides on his neighbors parcel. Please refer to the attached Technical Memorandum dated, September 1, 2011 for additional background, alternatives for the Board to consider and subsequently Staff's recommendation.

Namely through the Fringe Parcel Analysis, Staff and the Water Committee have worked diligently to address issues such as this while working to protect future illegal use of OID water resources outside OID's service area for the benefit of our existing constituents. Staff and members of the Water Committee will be available to answer any additional questions that the Board may have.

Mr. Brock was present to discuss his request and answer any questions that the Board may have.

A motion was made by Director Alpers to fine Mr. Brock the sum of \$250 for theft of water and request that he remove the pump. The motion failed for lack of a second.

Thereafter a motion was made by Director Clark that he be allowed to continue to use the water until the end of the irrigation season, not be fined \$250 for theft of water, and that he remove the pump prior to the next irrigation season. The motion failed for lack of a second.

A motion was made by Director Bairos and seconded by Director Doornenbal that Mr. Brock remove the pump from the District's facility within thirty (30) days and that no fine be enforced unless the pump is not removed within the thirty (30) days, and was voted as follows:

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

The motion passed by a vote of 3-2.

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION
ON REQUEST TO INSTALL A NEW TURNOUT
STRUCTURE AND MISCELLANEOUS ADDITIONAL
SUPPORTING INFRASTRUCTURE (APN: 207-021-002 – DUTRA)

On September 6, 2011 the Oakdale Irrigation District (OID) Water Committee and Staff met with Mr. Dutra to discuss his request for a new turnout structure on the Fairbanks Pipeline. Please refer to the attached Technical Memorandum dated, September 1, 2011 for a detailed account of the request, policy related background, alternatives for the Board to consider and subsequently Staff's recommendation given policy.

Staff wishes to remind the Board that this specific project is un-budgeted for the 2011/12 winter work season and as such, monies for project completion if the Board so chooses will have to come from reserves, a budget shift or at the expense of delaying other previously planned work. Staff and members of the Water Committee will be available to answer any additional questions that the Board may have.

Mr. Dutra was present to discuss his request and answer any questions that the Board may have.

After a lengthy discussion, a motion was made by Director Webb and seconded by Director Doornenbal to install a new turnout structure and miscellaneous additional supporting infrastructure on the Fairbanks Pipeline (APN: 207-021-002 – Dutra), and was voted as follows:

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

The motion passed by a vote of 3-2.

ITEM NO. 10
REVIEW AND TAKE POSSIBLE ACTION ON A
ONE TIME CLEANING OF A PRIVATE DRAIN
UPSTREAM OF THE EXISTING TIE-IN TO THE
OAKDALE IRRIGATION DISTRICT CHAPPEL
DRAIN (APNS: 229-220-27/37 – DUTRA)

A request from Mr. Joe Dutra to clean the private drain west of the Oakdale Irrigation District (OID) Chappel Drain was reviewed by the Water Committee. Approximately 1300 linear feet of the private drain has been requested to be cleaned directly upstream of the tie-in to the OID Chappel Drain. Please refer to the attached Project Site Map for clarification purposes. Within the past few months, water in the private drain has overtopped the banks on multiple occasions and flooded Mr. Dutra's almond orchard. Mr. Dutra feels that cleaning the private drain would help alleviate the recent flooding issues by allowing the water in the private drain to flow unrestricted from existing vegetation and debris into the OID Chappel Drain.

OID Rules and Regulations state that all private facilities shall be constructed and maintained by the owner and shall be free from weeds and other obstructions in a manner that minimizes the potential of levee breaks, overflow, etc. A one-time cleaning of a private facility at no cost to the landowner is a variance to OID policy and requires Board approval. In accordance with OID policy, staff recommends denial of Mr. Dutra's request. A no cost cleaning adds an unbudgeted/unknown expense to the OID annual maintenance budget and, if approved, may encourage additional requests from landowners to do other no cost services on private lands.

A motion was made by Director Clark and seconded by Director Alpers to deny the request for a one-time cleaning of a private drain upstream of the existing tie-in to the Oakdale Irrigation District Chappel Drain (APNS: 229-220-27/37 – Dutra) and was voted as follows:

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

The motion failed by a vote of 4-1.

ITEM NO. 11
COMMUNICATIONS

A. GENERAL MANAGERS REPORT

Safety Activities

1. OID has gone 282 days without a lost time injury accident.
2. Reasonable Suspicion Training was provided to all supervisors and managers on September 9th. Very informative program by ACWA/JPIA.

Administration Activities

1. GM and Counsel continue to meet with Trinitas and work on options. Financial review of options to be reviewed in Closed Session.
2. SJRG met on September 7th. Reviewed legal budget for upcoming year and discussed with Exchange Contractors their unwillingness to pay their proportionate share of the aerator costs for the deep water ship channel.

Contract and Special Project Activities

1. 2-Mile Bar Tunnel (CEQA & Engineering) – No response received from Hodgdon Enterprises for letter sent to their attorney on August 26, 2011.

The Corps of Engineers have forward the Easement Application to the real estate division in Sacramento. An email was received from one of the Natural Resources Specialist which OID responded to asking for clarification. OID is waiting on the USCOE to provide some definition of exactly what they need to continue the application process.

Condor Earth Technologies continue with the design for the Access Road to the Downstream Portal. The project completion is still on schedule for completion on or before November 1, 2011.

2. Cashman Dam Rehabilitation Project – No response from TCB on letter sent July 12, 2011. Another statement was received on July 31, 2011 and a response letter sent out rejecting the total balance claimed by TCB but offering to release Retention if supplied the proper documentation. No more statements have been received.
3. Paulsell Valley Water Conveyance System – A feasibility study of various options have been completed for the GM's review.
4. Cross Valley Conveyance System – No Activity to report for this period.
5. Beardsley Recreational Improvements – No Activity to report this period.
6. Continued with audits of billings on services contracts and drafted contracts for renewal.
7. Contract Administration activities on contracts to be renewed and/or issued, Work Releases and Change Orders for all contracts.

Construction Activities

1. District crews and equipment operators are currently working on routine maintenance, JSF's prepared by Water Department Staff, chaining District Laterals, cleaning Board approved drains and gaining back drive able access.
2. River Bottom Pipeline's – Landowner meetings have been completed & all involved agreed to a standard District easement of thirty feet. Associated paperwork has been processed by the Engineering Dept. and easements are ready for signatures.
3. Assisted the City of Oakdale on Sept. 12th by being a member of the interview panel for an equipment operator position.
4. Knights Ferry Delivery System – Met with Mr. Valencia on Sept. 15th to discuss the project and the needs of the OID. Mr. Valencia bought the property owned by the McCarthy's.

5. Union Slough Project – C&M crews have started to erect the new six strand barb wire fence. Material is being hauled to the site to construct the central berm as soon as the irrigation season is complete.
6. Preparation has begun for the upcoming construction season.
7. C&M supervisors attended training on September 9th.

Engineering Activities

1. Honolulu Bar Mitigation Project – CVFPB will not revise permit without going back to the Board for review and approval. OID has formally asked that the CVFPB revoke our previously issued permit for the project. FISHBIO has reapplied on behalf of USFWS and it is likely that this reapplication and subsequent approval process will take approximately six (6) months.
2. Rubicon (TCC) – Assisting Water Operations Department as necessary.
3. SBX7-7 – Comment period on DRAFT Emergency Regulation has ended. Water Operations Manager, Eric Thorburn to attend ASC meeting in Sacramento on 9/16 for JBD. The next meeting East Side ID Staff meeting regarding SBX7-7 will be held at OID on 10/19/11 and will be a field review of what we have done, what we are doing and how we intend to comply.
4. Ag Water Management Plan – Kickoff meeting held 9/1/11. JBD supporting Water Operations as necessary with data request phase.
5. Long Term Irrigated Lands Program – Ongoing participation in both the Delta and East San Joaquin Coalitions.
6. STRGBA – Bi-weekly conference calls being held to review status of USGS Model Progress. Next meeting set for 10/13/11.
7. Assuming all of the hiring “hurdles” are cleared without issue, the new Assistant Engineer should begin 10/3/11.
8. Knights Ferry – Orifice plate design criteria memo complete and delivered in DRAFT format to GM for subsequent review. Numerous Easement Agreements out for review. Board to discuss Wills Lateral Pipeline Extension Easement Acquisition in closed session.
9. Union Slough Enhancement Project – 90% Design Drawings have been reviewed by OID and subsequently delivered to CH. Stockpiling of borrow material and fencing of the project site has begun.
10. Riggs Townhill Pipeline Encroachment Request – Record of Survey bid received and correspondence sent to Herman Myer requesting deposit in the amount of one-half the survey costs. No response as of 9/13/11. Engineering to follow-up.
11. Revising Standard Details to account for SBX7-7 and other minor changes that have been made over the last year.

Water Operations Activities

Ag Water

1. Continued Fringe Parcels monitoring as necessary. Comprehensive summary of the Fringe Parcel Analysis to be prepared following the irrigation season.
2. The Cometa Lateral and Claribel Lateral are now in full TCC operation.

3. Remote operation of the first hydraulic actuator at Robert Van Lier Reservoir (RVL) has been transferred to the TCC SCADA system and the South Main Canal outflow from RVL is now being operated in TCC mode.
4. Conducting various landowner meetings and field review as misc. irrigation issues arise.
5. Completing Job Setup Forms and coordinating various repairs with the Support Services Department as necessary.
6. Pesticide Department conducting Magnacide treatments as necessary and concentrating on post emergent and squirrel control throughout the District.
7. Coordinating Aquatic Pesticide sampling events as required for the 2011 Annual Report.
8. Preparing 2012 preliminary budget for review by the Finance Department.
9. Working with Davids Engineering to provide requested data and documentation to develop a scope of work to update the OID Agricultural Water Management Plan.
10. The last 14 day rotation of the second half of the 2011 irrigation season (rotation 16) will be completed on or about the 30th of September. One additional 14 day rotation (rotation 1 of the 2012 irrigation season) will be offered and will be completed on or about the 14th of October.

Water Utilities

1. Improvement District No. 41: WUD staff continues discussions with the City of Oakdale regarding the ID's water needs. The City is currently working on a proposed rate fee structure. In the meantime, Pumping Station No. 3 remains out of service due to high turbidity issues.
2. Domestic 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 except for the items listed below:
 - Replaced well head air vent filter elements. This procedure is done twice a year as part of OID's well head protection program.
3. Rural Water System No. 1: Conducted monthly testing of the electrical stand-by generators at the Sierra Sunset and Hillsborough No. 1 Pumping Stations. No problems were detected, all the systems worked properly.
4. Knights Ferry Pumping Station: The river pumps were prepped, flushed and placed into service to supply raw water to the KFWTP during the week of September 5th while the Frymire Ditch was being cleaned.
5. Domestic Water Systems:
 - Monthly Coliform Bacteria water quality samples were collected on Tuesday, September 6th. No problems were detected. All domestic water system's under OID's are operating without restrictions.
 - Continued with the semi-annual inspection, servicing and flushing of the fire hydrants under OID's jurisdiction.
 - Continued with the semi-annual exercising of the street valves under OID's jurisdiction.
6. 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.
7. Aquatic Pesticide Water Sampling: Assisted Ag Water Department in the collection of water samples on September 6th and 12th. Test results are still pending.

8. Weimer Deep Well Pump: Staff replaced the failed main circuit breaker inside the motor control panel. The pump was out of service for 4 hours during the repairs.
9. Safety & Training Activities:
11. As of Friday, September 16th, the WUD has gone 4007 days without a lost time injury.

Finance Activities

1. Attended Reasonable Suspicion Training on September 9th.
2. Preparing for domestic improvement district annual rate setting meetings. Meetings will be held the week of September 26, 2011.
3. Preparing rate setting letters to all ag water improvement districts.
4. Preparing 2012 preliminary budget.
5. Attended training in Fresno on prevailing wage.
6. Online setup and training on Springbrook's Project Management, Work Orders, and Accounts Receivable the week of 9/12/2011.

B. COMMITTEE REPORTS

Water/Engineering Committee Meeting, September 6, 2011

- Review Out-of-District Irrigation Request (APN: 010-035-014 – Brock)
- Review Storm Drainage Agreement to Reed Pond (APN: 006-012-081 – River Oak Grace Community Church)
- Review Request to Install New Structure and Miscellaneous Infrastructure (APN: 207-021-002 – Dutra)
- Review Request for Cleaning of Private Drain on Thalheim Colony Road (Dutra)

Director Webb stated that these matters have all been previously discussed on the agenda.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Webb

Director Webb stated that he does not see how the boat ramp at Beardsley will get done this year.

Director Alpers

Director Alpers stated that he has been reading in the Oakdale Leader about the lawsuits that the City of Oakdale is participating in. He stated that the District contributes a lot of money to the operation of the City of Oakdale and he wondered if we should reconsider the amount of money that we give to the City of Oakdale.

Director Clark

Director Clark stated that the money that the District gives to the City of Oakdale goes directly to help a lot of kids at the swimming pool and does not help with the lawsuits. Even if there were no lawsuits, the City would still need the money.

Director Doornenbal

Director Doornenbal had not comments.

Director Bairos

Director Bairos had not comments.

At the hour of 10:17 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION

ITEM NO. 12

A. Government Code §54956.8 Conference with Real Property Negotiator

Negotiating Parties: OID and Boatright
Property: APNS: 002-063-002/004/021/038
Under Negotiations: Price and terms

B. Government Code §54957.6 - Conference with Labor Negotiator

Agency Negotiator: Board of Directors
Unrepresented Employee Organization: IBEW and All Employees of the
Tri-Dam Project

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

Negotiating Parties: OID, Trinitas, LLC
Property: Water
Agency Negotiators: General Manager and Counsel
Under Negotiations: Price and Terms

At the hour of 12:08 p.m. the meeting returned to open session.

Coming out of Closed Session President Al Bairos, Jr. stated that there was no reportable action.

OTHER ACTION

ITEM NO. 13

The meeting adjourned at the hour of 12:08 p.m. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, October 4, 2011 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, October 20, 2011 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

Frank Clark, Vice President

Attest:

Steve Knell, P.E., Secretary