

MINUTES

Oakdale, California
October 15, 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
 Frank Clark
 Tony Taro
 Steve Webb

Staff Present: Steve Knell, General Manager
 Bob Nielsen, Supervisor of Field Operations
 Wayne Truhett, Supervisor of Facilities and Rights-of-Way
 Mike Evans, Watermaster
 Kathy Cook, Chief Financial Officer

PUBLIC COMMENT

Mr. Bob Miller presented to the Board his concerns relative to 142 acres that the Tri-Dam Project owns backing up to the California Asbestos Landfill. He expressed his fears relating to the contamination of Lake Tulloch from asbestos waste at this landfill site. Director Clark stated Tri Dam is South San Joaquin Irrigation District as well as Oakdale Irrigation District and neither board has addressed this issue. Director Alpers stated that this should also be addressed by Calaveras County.

Director Alpers stated that this should be on the November calendar for Tri Dim. Mr. Miller stated that he would like to be notified and involved in any discussion if this is on the Tri-Dam Agenda for November.

Mr. Roger Beymer commented that he has seen a lot of progress and the Board should be commended for this. Mr. Beymer complimented the work done by his Ditchtender, Mr. Chris Haverson. Mr. Beymer commented that he would like to review the accounting numbers of the Robert Van Lier Regulating Reservoir, which is shown in the financial documents as 2.4 million dollars. Director Alpers stated that those specific numbers would be supplied by the Finance Department.

Mr. Grover Francis requested copies of cancelled checks to be supplied by the Finance Department. Mr. Francis also expressed his disappointment in Director Clark's vote for retention of our Water Counsel.

**ADDITION OR DELETION OF
AGENDA ITEMS**

There were no additions or deletions of agenda items.

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

Director Brichetto requested that Item #8 and Item #16 be combined and discussed together.

COMMUNICATIONS

**ITEM NO. 1A.
GENERAL MANAGER'S REPORT**

Status of Hershey Contract: A reply was received from Hershey last week with their comments regarding the discharge contract. The correspondence from Hershey will be forwarded onto Michael Ijams, Esquire for his review and comments.

Support Services Manager: A Personnel Committee Meeting was held and it was determined that another recruitment process will be initiated as the candidates applying for the position did not meet the criteria required for this position.

OID Picnic & Holiday Dinner: The OID Picnic will be held on October 26, 2002 at Kerr Park. All Directors are encouraged to attend. The Holiday Awards/Safety Dinner has been scheduled for December 7, 2002 and will be held at the Senior Citizens Center in Oakdale.

CALTRANS Utility Agreement and Notice to Owner: A letter was sent to CALTRANS regarding their impacts as to the relocation of Route 120. CALTRANS sent back a letter stating that they don't agree with us but they will note such in the pending utility agreement being prepared. This correspondence will be forwarded onto Michael Ijams, Esquire for his review.

2003 Budget: Work is continuing on this, and a week is needed to get through the remaining work to be done.

Airport Proposal: For a few years, Oakdale Airport has discussed expanding their runway and how that related to the South Main Canal. What they are proposing is a run-out for the airport, which is not part of the runway. They need a run-out for emergency reasons and at the end they want to relocate the canal. They propose a

box culvert with a lid on top of it. Additional information will be provided to the Board as it becomes available.

Condor Geo Tech: A Stockton geo-technical firm visited last Thursday and made a walk-through of some of the more precarious parts of the South Main Canal system. They have worked with Turlock, Modesto, and Napa Valley, and their expert in Sonora is very familiar with this area. A discussion was held regarding a geo-tech inspection and their recommendations for the OID tunnels this year during the non-water season. It has been many years since this District has had a geo-tech inspection and a walk through done on those tunnels. A proposal is being prepared and if completed in time, will be in the November Board package.

ITEM 1B. **DIRECTORS' COMMENTS/SUGGESTIONS**

Director Clark: Director Clark questioned why the Written Correspondence section of the Board Agenda is no longer part of the Board package. General Manager Steve Knell stated that correspondence is forwarded to each Director with their weekly mailings. Director Clark stated that unless correspondence concerns some legal or personnel issue it should be included. Director Alpers stated that he disagreed with this and likes getting the correspondence as it comes in. Director Clark would like to receive the correspondence as we are sending it, but would also like it included in the Agenda, but that the Board would only like to see correspondence that concerns district policy. General Manager Steve Knell stated that mail will be sorted out and bound separately from the packets.

Director Taro: Director Taro questioned the tunnel inspections and commented that it might be good if we had two organizations look at our tunnels. Director Taro also commented that there should be more training on proper procedures in backing up and extracting vehicles that get stuck.

Director Brichetto: Director Brichetto commented that that the dump truck was damaged because an attempt was made to pull it out without properly unloading it. General Manager Steve Knell stated that the report sent to the Board stated that when the truck backed into the trenches it was loaded. The bed damage occurred due to an attempt to extract dirt before pulling out the truck. Additionally, the angles that they were pulling from and the position of the truck probably caused damage.

Director Alpers: Director Alpers commented that he had received good comments regarding our new website. Hopefully, we will get information on the site quicker. Director Alpers stated that General Manager Steve Knell and he had attended an ACWA meeting in Costa Mesa. The workshop included discussions relative to global warming and future weather changes in California that are very significant. Contrary to what has been said that industrialization has caused, graphs were presented from 1900 showing that these gradual changes are actually straight lined, there was no change when industrialization came into play. The temperatures have risen 3 degrees this century and it is predicted that they will

increase 3 to 5 degrees during the next century. It is also predicted that rain will be up 80% over the next 100 years. The significant thing is that the snow pack is going to raise 1,500 feet. The rains will come in December and January, which means there will be less runoff. Over the last century the runoff between April and June has been reduced 25%. The Stanislaus River is the best equipped to handle this, as it has 1½ times the capacity to handle the rain. The American River has 1/3 the capacity. It was interesting because it points out the needs for reservoirs. This area is in good shape, but some others will have horrendous flooding.

**CONSENT CALENDAR
ITEM NO. 2, 3, 4, 5, 7**

**ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES OF
REGULAR MEETING OF OCTOBER 1, 2002**

A motion was made by Director Clark, seconded by Director Webb, and unanimously supported to approve the Board of Directors' Minutes of the regular meeting of October 1, 2002.

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

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

**ITEM NO. 4
APPROVE OID IMPROVEMENT DISTRICT'S
STATEMENT OF OBLIGATIONS**

A motion was made by Director Clark, seconded by Director Webb, and unanimously supported to approve OID Improvement District's Statement of Obligations.

**ITEM NO. 5
APPROVE THE MONTHLY TREASURER'S REPORT AND
INTERNAL FINANCIAL REPORTS FOR THE
MONTH ENDING SEPTEMBER 30, 2002**

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 September 30, 2002.

ITEM NO. 7
APPROVE REPLACEMENT AND UPGRADE OF
NETWORK SERVER HARDWARE AND SOFTWARE

The life expectancy of a network server is 3 to 4 years maximum and the District's server is 6 years old. The network is not only experiencing problems but is becoming slow. A motion was made by Director Clark, seconded by Director Webb, and unanimously supported to approve replacement and upgrade of network server hardware and software.

ITEM NO. 6
APPROVE THE PURCHASE OF MISCELLANEOUS TOOLS
AND EQUIPMENT FOR WINTER WORK SEASON

The Oakdale Irrigation District is implementing a focused maintenance program for the 2002/2003-winter work season. To successfully accomplish this goal, sufficient tools and equipment are required to outfit the available crew trucks. After discussion a motion was made by Director Clark, seconded by Director Webb and unanimously supported to approve the purchase of miscellaneous tools and equipment for the winter work season.

ITEM NO. 8 & ITEM NO. 16
REVIEW AND TAKE POSSIBLE ACTION FOR DIRECTING THE GENERAL MANAGER
TO DEVELOP A SCOPE OF SERVICES WITH DAVIDS ENGINEERING FOR
SETTING UP A WATER MONITORING PROGRAM AND
DISCUSSION BY DIRECTOR BRICHETTO CONCERNING REHABILITATION
AND IMPROVING THE OAKDALE IRRIGATION DISTRICT INFRASTRUCTURE

General Manager Steve Knell stated that he was looking to the Board for direction on having Grant Davids of Davids Engineering move forward to prepare a water-monitoring plan for the District. This plan would look at what it would take to monitor the North and South Mains, and look at those monitoring sites that would give us the best return on our investment. Director Alpers commented that it would be good to know what comes into the system and what goes out that is waste.

Rodden Lake Regulating Reservoir: Director Brichetto stated that Rodden Lake should be renamed Rodden Lake Regulating Reservoir. Many individuals don't understand that this is a regulating pond on the North side, which is what Rodden Lake was built for originally. General Manager Steve Knell stated that at Rodden there are limitations on what we can do and we should look at what those limitations are and try to work within them or expand them.

Robert Van Lier Regulating Reservoir: Director Brichetto stated that a change is needed to the outlet structure and a safety spillway should be added. General Manager Steve Knell responded that the real safety outlet should be to bypass the canal around the reservoir

and then have a side outlet into the reservoir, which would solve that problem. These are all capital improvement items that will be on the budget.

Isolate North & South Main losses with the use of SCADA in order to get credit for groundwater recharge: Director Brichetto stated that SCADA Improvements are needed throughout our system to isolate the losses in the main. If OID put the SCADA system and the proper head gates in at different intervals in our system, water deliveries could be controlled, saving a lot of water.

Director Alpers stated that before we think about renaming Rodden Reservoir as a Regulating Reservoir, it should be improved. There is also no sense in putting SCADA on it and then deciding to raise it 4 feet. Director Brichetto stated Rodden Reservoir should be a budget item, which would bring this before the Board.

A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to direct the General Manager to develop a scope of services with Davids Engineering for setting up a water monitoring program.

ITEM NO. 9
REVIEW AND CONSIDER RESOLUTION SETTING
2003 IMPROVEMENT DISTRICT MAINTENANCE
AND OPERATIONS CHARGES

The rates outlined in the proposed resolution are recommended by staff and are based on expenses and revenues applicable to each Improvement District account. Improvement District landowners or committees were sent letters regarding the rates and were given an opportunity to respond. A motion was made by Director Webb, seconded by Director Clark, and unanimously supported to approve Resolution Setting 2003 Improvement District Maintenance and Operations Charges.

ITEM NO. 10
REVIEW AND CONSIDER RESOLUTION CALLING
INSTALLMENT OF IMPROVEMENT DISTRICT NO. 22
FOR 2002/2003 ASSESSMENT ON NEW WELL LOAN PAYMENT

Annual payments on the new well loan of Improvement District #22 are \$3,198.00. In October of 1997 the Board approved a rate of \$.50 per 100 square feet. The rate of \$.50 per 100 feet allows for a constant charge over the next 3.5 years and allows the final loan payments to be paid through the reserve, as required by the loan documents. A motion was made by Director Webb, seconded by Director Brichetto, and unanimously supported to approve Resolution Calling Installment of Improvement District No. 22 for 2002/2003 Assessment on New Well Loan Payment.

ITEM NO. 11
REVIEW AND TAKE POSSIBLE ACTION TO
APPROVE GIFT AND GRATUITY POLICY

General Manager Steve Knell stated that nine public agencies were contacted relative to their gifts and gratuities policies. Based on the responses received, a policy was crafted incorporating those of other districts. Director Clark stated that item 1b) should be amended to include "or their immediate family" which would not allow gifts to an employee or their immediate family. A motion was made by Director Clark, seconded by Director Brichetto, and unanimously supported to approve the Gift and Gratuity Policy after inclusion of "or their immediate family under Item 1b).

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE
RESOLUTION FOR CHARGES RELATED TO
IRRIGATION WATER SERVICE FOR THE YEAR 2003

California Water Code Section 22283 provides that a District may prescribe reasonable rules to carry out the provision of Section 22280. Annually the District rules are reviewed and adopted by the Board. After discussion a motion was made by Director Webb, seconded by Director Alpers and unanimously supported to approve Resolution for Charges Related to Irrigation Water Service for the Year 2003.

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE
RESOLUTION SETTING WATER "DELIVERY FEE" FOR YEAR 2003

General Manager Steve Knell stated that the proposed resolution allows for the fees to remain the same as last year, but that the allocations would change. After discussion, a motion was made by Director Clark, seconded by Director Brichetto and unanimously supported to adopt the fee schedule and allocations which were used last year and not make any changes for the year 2003.

ITEM NO. 14
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE
ATTENDANCE BY DIRECTORS AND/OR STAFF AT
THE ACWA 2002 FALL CONFERENCE

The ACWA Fall Conference will be held November 20, 2002 through November 22, 2002 in Anaheim, California. Director Alpers stated that all Directors wishing to attend should notify the General Manager immediately so that pre-registration could be completed. A motion

was made by Director Webb, seconded by Director Clark, and unanimously supported to approve attendance by Directors and/or staff at the ACWA 2002 Fall Conference.

ITEM NO. 15
REVIEW AND TAKE POSSIBLE ACTION TO
APPROVE LEGAL SERVICES AGREEMENT
WITH O'LAUGHLIN & PARIS

At the October 1, 2002 Board of Directors' Meeting, the Board voted to hire the law firm of O'Laughlin & Paris as water counsel. The Personnel Committee met to review the Legal Services Agreement and made revisions thereto. A motion was made by Director Webb, seconded by Director Alpers to approve the revised Legal Services Agreement with O'Laughlin & Paris and said motion was voted as follows:

Ayes:	Alpers, Clark, and Webb
Noes:	Brichetto
Abstain:	Taro

DISCUSSION ITEM

ITEM NO. 17
DISCUSSION BY DIRECTOR BRICHETTO
CONCERNING REHABILITATING AND IMPROVING
THE OAKDALE IRRIGATION DISTRICT INFRASTRUCTURE

Director Brichetto stated that he had conferred with Water Counsel, Tim O'Laughlin, Esquire who stated that there should be no problem annexing the properties. Director Brichetto stated that he felt that annexations would be good for maintaining our water rights. A lot of property has been lost over the years and a lot more is scheduled to go out, and all landowners getting out-of-district water should be annexed. Director Clark asked General Manager Steve Knell what the downside would be for those individuals who are out of the district getting water versus bringing them into the district and getting water. General Manager Steve Knell stated that a lot of these lands are not agricultural lands, but small parcels that require more time to service. There was an annexation fee that was established through a Board process to try and compensate for that. Director Webb stated that the Board is going to have to go over the entire annexation policy including the rate. Director Webb also stated that he did not think the Board was against annexation, but if thoughts were along that line the Board should decide what is the fee, what is the impact, who do you want to annex first and, according to our policy now, if you annex adjacent farmland versus OID building a facility, how are we going to address that? There are a lot of questions that need to be answered before you can go forward. Director Clark stated that we were dealing with two different things here; annexation versus annexation of people who are getting out of district water.

Director Alpers stated that he had taken the assets of the OID and divided them by the acreage and had gotten a number of \$1,750 per acre; meaning that everyone that has an acre has a positive asset in OID of \$1,750. It is a big number and it is not fair to somebody owning land in the district paying taxes for 70 or 80 years and then giving that asset to somebody for \$200. Everyone should pay his or her fair share. No organization should sell its assets for 10 cents on the dollar. TID has an annexation policy of none because they think it weakens their water rights in the state.

Dennis Edge: (Inaudible Comment)

Mr. Sean Conde stated that they take water right out of the canal, easily. The legal documents in his possession show that the OID canals were intended for agricultural use only. The documents do not say anything about selling water to other districts. It is understood that the District has had to do that to make ends meet, but it is important to take a realistic view of where the District is today, not where the District was 10 or 20 years ago. The District does not have the money issues that they have had. It is important we keep the water in this area. This irrigation district is not to supply drinking water or fish water, but it is important to supply agricultural water.

Director Clark stated that the Board's priority is that all the water in this District will be put to use in this District. It is inevitable that we are going to be forced to supply domestic water to the city of Oakdale in 20 to 50 years. It is our intention that water be here when we need it and not elsewhere. Our current water transfers are short-term contracts that will expire and will need to be re-visited soon. We need to assess our community water needs again at that time.

Mr. Grover Francis stated that it is a foregone conclusion that we will have to provide water to the City of Oakdale and Riverbank. The annexation, which is mostly on the eastside of the District, affords an opportunity for the District to clean up the Hilts Bellinger agreements and a good negotiator will probably do a lot.

Director Brichetto stated that it is not as difficult a process as some have been told. If the Board decides to go ahead with this, it should be put on the next Agenda for action to be taken. It doesn't require a lot of involvement from the attorneys. It is something that other districts have gone through and they have annexed just by resolution.

General Manager Steve Knell raised a white flag as far as workload is concerned.

Director Alpers stated that this would be on the November 5, 2002 Board Meeting Agenda.

CLOSED SESSION

ITEM NO. 18

- A. **GOVERNMENT CODE SECTION 54957.6** – Discussion of Salary and Benefits.

Consultant Bill Smith updated the Board regarding the 2003 union negotiations.

- B. **GOVERNMENT CODE SECTION 54961** – Discussion of Potential Liability Claims.

General Manager Steve Knell briefed the Board relative to the training requirements to satisfy OSHA.

At the hour of 11:40 A.M., a motion was made by Director Bricchetto, seconded by Director Webb and unanimously supported to adjourn to the next **regular Board of Directors meeting** to be held on **Tuesday, November 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 **November 21, 2002 at 9:00 A.M. in Manteca.**

Attest:

Steve Knell
Secretary