

MINUTES

Oakdale, California
June 1, 2004

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
Jack D. Alpers
Louis Brichetto
Tony Taro

Staff Present: Steve Knell, P.E., General Manager/Secretary
Gary Jernigan, P.E., Support Services Manager
Kathy Cook, Chief Financial Officer/Treasurer

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions or deletions of agenda items.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no actions to take various items out of sequence.

PRESENTATION ITEM NO. 1

A presentation was made by Fran Sutton-Berardi, Executive Officer at LAFCO on their agency's roles and over-site responsibilities of public agencies.

Director Brichetto questioned if LAFCO still required a burden of proof when an agency want to sell water. Ms. Sutton-Berardi stated that LAFCO had no jurisdiction over the selling of water. However, if you want to annex additional territory you have to show that there is sufficient water available so it does not impact existing users.

Director Alpers stated that MID is selling water to the city but is transferring permanent water rights; does that have to come before LAFCO? Ms. Sutton-Berardi stated that this is also not within the jurisdiction of LAFCO.

Ms. Sutton-Berardi further stated that LAFCO is looking for the cities to tell them what their plans are for the future. A general plan of a city is relevant in establishing the sphere of

influence and is the primary document they use when they look at establishing the sphere of influence.

Director Alpers questioned whether properties that are in both counties have to review with both agencies. Ms. Sutton-Berardi stated that Stanislaus County LAFCO would review as they are the principal agency for OID.

Ms. Sutton-Berardi stated that one of the concerns of LAFCO right now is one that they have had with the City of Turlock and Modesto that they have been shutting down wells. When Turlock wanted to annex the commission questioned whether or not water would be available. Turlock had to show the commission evidence and documentation that even though they were shutting down wells in some areas that there is good water in other areas before LAFCO would approve the annexations.

Director Clark questioned when an applicant applies for annexation for irrigation water and is turned down by LAFCO; what is their recourse? Ms. Sutton-Berardi stated that LAFCO is the ultimate decision maker and there isn't any recourse to this decision other than the court, and the courts have said that a LAFCO decision is rarely open to challenge.

Ms. Sutton-Berardi stated that LAFCO has started a program to update all the spheres of influence and their goal is to do that before January 1, 2006. A draft of this review is available from their office.

**CONSENT ITEMS
ITEMS NO. 2, 3, 4, 5**

**ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE
REGULAR MEETING OF MAY 18, 2004.**

A motion was made by Director Alpers, seconded by Director Webb and unanimously supported to approve the Board of Directors' Minutes of the regular meeting of May 18, 2004.

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

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

ITEM NO. 4
APPROVE TEMPORARY ACCESS AGREEMENT FOR
IMPLEMENTATION OF THE GOODWIN CANYON GRAVEL
REPLENISHMENT PROGRAM FOR FISH AND GAME

A motion was made by Director Alpers, seconded by Director Webb and unanimously supported to approve a Temporary Access Agreement for Implementation of the Goodwin Canyon Gravel Replenishment Program for Fish and Game.

ITEM NO. 5
APPROVE WAIVER OF CONDUCTING AUTHORITY PROCEEDINGS
SANTA FE – EIGHTH STREET REORGANIZATION TO THE
CITY OF RIVERBANK

A motion was made by Director Alpers, seconded by Director Webb and unanimously supported to approve waiver of conducting authority proceedings Santa Fe – Eighth Street reorganization to the City of Riverbank.

ACTION ITEMS
ITEMS NO. 6, 7, 8, 9, 10

ITEM NO. 6
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE
WAIVING CANCELLATION FEES FOR THE
GENERAL MANAGER FOR NOT ATTENDING APPA

The APPA Conference is scheduled for June 21-23. The GM was informed last week that LAFCO will be having the OID's Municipal Service Review and Sphere of Influence Update before the County Board of Supervisors on June 23. They request that an agency representative be present to answer questions from the Board of Supervisors should they arise. To be available for this presentation will necessitate that the GM cancel his flight, hotel room and conference registration. Some of these cancellations will result in assessed charges. OID Policy for the Reimbursement of Directors, Officers and Employee Expenses, Item 11, requires cancellation fees for other than emergencies to be paid by the employee.

The GM does not consider this an "emergency" but considers the agencies representation before the Board of Supervisors important enough to request a variance from the policy in this instance. As has occurred before, because OID is a State agency, airline cancellations may be available at a nominal fee as opposed to the whole flight cost.

A motion was made by Director Webb, seconded by Director Brichetto and unanimously supported to approve waiving the cancellation fees for the General Manager for not attending APPA.

ITEM NO. 7
REVIEW AND TAKE POSSIBLE ACTION ON A
RESOLUTION ADOPTING A POLICY FOR
BOARD OF DIRECTORS' LUNCHEON MEETINGS

The issue of when and under what conditions the Board is entitled to lunches has been raised previously. A draft policy for Board or Directors' Meal Expenses and a Resolution were presented for Board review.

After discussion, a motion was made by Director Webb, seconded by Director Brichetto and unanimously supported to approve a Resolution Adopting a Policy for Board of Directors' Luncheon Meetings.

ITEM NO. 8
REVIEW AND TAKE POSSIBLE ACTION TO
ALLOW THE GENERAL MANAGER TO
PURCHASE USED VEHICLES
AS APPROVED IN THE 2004 BUDGET

In an effort to reduce costs, the District placed in the 2004 budget the purchase of used vehicles for the replacement of its $\frac{3}{4}$, 1 and 2 ton vehicles. Purchasing used vehicles is extremely difficult due to their high demand. Dealerships and private parties are not willing to wait the extended time it takes for a public agency to approve such purchases. Staff has lost the ability to purchase 3 vehicles because they were sold during this waiting period.

To alleviate this problem, staff requested that the Board allow the General Manager to execute the purchase of budgeted vehicles as indicated and expensed in the budget. These limits would not be exceeded without Board approval.

A motion was made by Director Alpers, seconded by Director Webb and unanimously supported to allow the General Manager to purchase used vehicles as approved in the 2004 budget.

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION TO
SELECT AND SCHEDULE INTERVIEW DATES FOR A
WATER RESOURCES PLANNING CONTRACTOR

At the Board's last meeting, the June 1 meeting date was set as a decision time on how many of the 4 submittals for preparation of OID's Water Resources Plan would be interviewed. In addition, a date was to be set for the interviews.

Open dates for the interviews currently are Friday, June 11, Friday, June 18, Friday, June 25 and anytime the week of June 28 through July 2, 2004.

A motion was made by Director Alpers, seconded by Director Bricchetto to approve the selection and scheduling of interview dates for a water resources planning contractor and was voted as follows:

Ayes: Alpers, Bricchetto, Clark and Webb
Abstain: Taro

The Board concurred that the firms of CH2M HILL and Provost & Prichard & Davids Engineering be asked to make their presentations to the Board. The dates for said interviews and presentations would be Friday, June 18, 2004 at 6:30 P.M. and Friday, June 25, 2004 at 6:30 P.M. Interviews will take place at the Oakdale Irrigation District office at 1205 East F Street, Oakdale, CA 95361.

PUBLIC COMMENTS

Mrs. Donna Nation requested that the Board give the public in attendance a synopsis of the item to be discussed before it is voted on. Director Clark stated that all information in the Board Agenda packages is available at the front desk on Friday afternoon before each Board meeting. The Board Agenda is also published on the OID webpage on Thursdays before each Board meeting. Mrs. Nation also requested that the Board report their findings as to the reserve study for improvement districts. As a realtor it would be good to know this information ahead of time.

Mr. Pete Simoncini wanted to commend General Manager Steve Knell for taking part in a government class that he teaches at Oakdale High School. He further stated that Mr. Knell did a very professional job and represented this Board and the District very well. Mr. Simoncini also expressed his thanks for the scholarships that the District sponsored this year.

ITEM NO. 10 **REVIEW AND TAKE POSSIBLE ACTION TO** **CONSIDER THE COMMENCEMENT OF A** **RESERVE STUDY FOR ALL** **DOMESTIC WATER IMPROVEMENT DISTRICTS**

The Board wishes to be more proactive with each Improvement District to effect the establishment of a Capital Replacement Account to meet the substantial and inevitable costs associated with the replacement of their infrastructure. This need has been precipitated by the experience of Improvement District No. 52 which lost both its wells in the last year. Had the Improvement District been proactive years ago and established and annually funded a Capital Replacement Account, this burden could have been substantially reduced.

An estimate to do a Reserve Study has been submitted by the Browning Reserve Group. Their estimate is \$800 for each improvement district. An attorney's opinion and past

agency correspondence were submitted for Board review. The Domestic Water Committee met and recommended that OID move quickly on providing this reserve study. To accomplish this, the Committee recommended that OID funds be used to pay for the reserve studies at a cost to the District of \$5,600 for 7 improvement districts.

A motion was made by Director Alpers, seconded by Director Brichetto and unanimously supported to approve the commencement of a reserve study for all domestic water improvement districts.

ITEM NO. 11 ORAL REPORTS AND COMMENTS

A. GENERAL MANAGER'S REPORT

Resource Issues

1. Still providing 12 day rotations for the near future.
2. We have acquired our NPDES permit for the application of aquatic pesticides and began treatment on the North Main on Tuesday the 25th and on the South Main on Wednesday the 26th.

Resource Contracts

1. We met with Grant Davids on The 21st regarding OID's Ag Water Management Plan. Grant will be moving forward with this and should have a draft available in September of this year.
2. A meeting with Condor has been scheduled for June 4th to iron out some billing disputes we have.

Current Internal Activities

1. This month's safety focus is Respiratory Awareness.
2. Received a request from the Union to start C&M Operations earlier to avoid heat issues. Will be meeting with them to discuss.
3. Finishing up LAFCO's MSR and SOI Update Plan for OID.
4. Knight's Ferry Pipeline issues may require addressing in the near future.
5. Met with Rain for Rent on the Lower Cometa to discuss emergency service should that line fail this year.

Current Board Requests, On-Going Planning Activities and Active Programs

Consuming Staff Time

1. Water Resources Plan-Contractor Selection (Knell)
2. Tri-Dam Power Re-Licensing-Material Review (Knell)
3. The Five-Year Capital Construction Budget Plan (Jernigan, Davids)
4. The Canal/Lateral/Drain Cleaning Program Development (Jernigan, Davids, Nielsen, Hanf, Laidlaw,)
5. The Long-Term Revenue Plan (Cook and Knell)
6. The Domestic Water Revenue Study (Cook and Knell)
7. ID 52 Well Replacement (Nielsen)
8. Summer Newsletter (King and Knell)

9. Domestic Water Newsletter (Cook, Nielsen, Knell)
10. 2005 Budget preparation (Cook, Jernigan, Knell)
11. Implementation and Management of Water Measurement Program (King)
12. Implementation of Turnout Measurement Program (King)
13. Development of OID's Ag Water Management Plan (AB3616) (King and Knell)
14. Development of a Regional Groundwater Management Plan (AB 1398) (King and Knell)
15. Aquatic Pesticide Application and NPDES Permit Process (Hanf and King)
16. Implementation and Start Up for the Ag Waiver Compliance Program for sampling and monitoring (King)
17. P.R.&R. Consolidation (Chapman)
18. Gray Book Revisions (King, Chapman and Knell)
19. Policy Revisions for Subdivision Policy, Fencing Policy, Drainage Policy, Access Policy for Reclamation and Deep Well Usage (Davids and Knell)
20. Town Water Service Review (Knell)

Legal Activities

1. Attorney Ijams;
 - Personnel matters
 - Cantel Settlement Agreement
 - Declan Reen's non-payment claim
 - Requested a training seminar for staff on R/W issues

B. COMMITTEE REPORTS

San Joaquin River Group:

Director Alpers reported that at the last meeting user fees for Bay Delta improvements are estimated to be up to \$158,000,000 which would mean about \$7.00 per acre for OID. The RWQCB has noticed their tri-annual review. This is something that has to be done every three years and covers water quality of the rivers. It is handled through the River Group as it is less expensive than if individual districts did this on their own.

Strategic Planning Review Committee:

Director Alpers reported that the committee will review the plan every 3 or 4 months to see how OID is doing. A summary of the major points:

- The water rights lawsuit by Delta Keepers was won by Mr. O'Laughlin – they were trying to impose on some of our water rights;
- Tri-Dam is on schedule;
- Ag Water Management Plan – was to be done this month, but will be done by December;
- Maintenance on the South Main was done ahead of schedule;
- GASB 34 accounting system has been completed;
- Water Measurement Plan is on schedule with 14 sites functioning;
- OSHA compliance is up-to-date with ongoing safety programs;
- Water Operations Manager – the right candidate has not been found as yet;

- Staff Training – progressing on schedule
- MID Drainage Issue – can't be addressed until the Water Resources Plan is done

The Committee would also like to see the status of the Strategic Plan addressed in the upcoming Newsletter.

Director Clark stated that the Board has made significant accomplishments and contributions to the District over the past year. He also stated that Mr. Knell and his staff have made these things happen and have done a good job.

C. DIRECTORS' COMMENTS

Director Webb

Director Webb stated that the District was fixing a pipeline that runs through the City of Riverbank under the railroad tracks and by the cannery to irrigate two lawns. The District should not be funding a pipeline that runs through the City of Riverbank to irrigate two lawns. OID should notify these individuals that they have no intention of serving them anymore.

Director Brichetto

Director Brichetto stated that he liked the presentation of LAFCO and he would like to see a little stronger hand on the back of the cities because they are relying solely on ground water. He would like to see the water kept locally before any other decision is made and other alternatives are no longer available.

Director Taro

Director Taro stated he would like to see a water report. General Manager Steve Knell stated that he had just gotten the numbers this morning and would put that information in the Directors mailboxes.

At the hour of 11:20 A.M. a motion was made by Director Brichetto, seconded by Director Alpers and unanimously supported to adjourn to the next **regular Board of Directors' Meeting** to be held on **Tuesday, June 15, 2004 at 9:00 A.M.** at the Oakdale Irrigation District Office, 1205 East F Street, Oakdale, CA 95361.

The next regular Joint Board Meeting for the Tri-Dam Project is scheduled for **Thursday, June 17, 2004** at 9:00 A.M. at the Oakdale Irrigation District Office, 1205 East F Street, Oakdale, CA 95361.

Attest:

Steve Knell, P.E.
General Manager/Secretary