

MINUTES

Oakdale, California
October 4, 2016

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 9:03 a.m. Upon roll call, there were present:

Directors: Steve Webb, President
Herman Doornenbal, Vice President
Gail Altieri
Linda Santos

Absent: Gary Osmundson

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

Also Present: Fred A. Silva, General Counsel

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 items taken out of sequence.

At the hour of 9:03 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 2

Tom Orvis of the Stanislaus Farm Bureau stated the following:

- He provided the District with a copy of the Crop Report for 2015 and stated that crop production was down 12% in Stanislaus County;
- He commented that the Water Advisory Committee Meeting, where the SED was presented, was very productive and there was good attendance and questions.
- He reminded everyone about the workshop/hearing on the SED scheduled for November 4, 2016 at 9:00 a.m. in the Tuolumne Room at Modesto Center Plaza.
- He also commented that the Oakdale Irrigation District, the Turlock Irrigation District, and the Modesto Irrigation District will be in attendance at the Farm Bureau's meeting tonight to provide their thoughts on the SED.

There being no further Public Comment; Public Comment closed at 9:09 a.m. and the Board Meeting continued.

Director Santos requested that Item Nos. 2 and 9 be pulled from the Consent Calendar.

CONSENT ITEM
ITEM NOS. 3, 4, 5, 6, 7, 8, 10

ITEM NO. 3
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 4
APPROVE ASSIGNMENT OF
CAPITAL WORK ORDER NUMBERS

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve the assignment of the following Capital Work Order Numbers:

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
Moulton Drain Pipeline	Install approximately 180 LF of 30" 100 PSI PIP PVC, 1-30" PVC starter coupler, 1-concrete collar, 1-18" rip rap. (APN: 006-004-009)	\$26,800	2016-045
Riverbank Lateral	Install 1-5'x7' MBI turnout, 1-15" coupler, 15" 100 PIP PVC, 1-15"x9' Fresno 101C Slide gate, stilling well, and necessary Appurtenance. (APN: 075-021-018)	13,200	2016-046

ITEM NO. 5
APPROVE DENIAL OF CUSTOMER'S REQUEST FOR CANCELLATION
OF 15-DAY SHUT-OFF NOTICE (APN: 010-075-022 – HARRIS)

A motion as made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve denial of customer's request for cancellation of 15-day shut-off notice (APN: 010-075-022 – Harris).

ITEM NO. 6
APPROVE PAYMENT OF CLAIM
SUBMITTED BY DANIEL BAXTER

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve payment of claim submitted by Daniel Baxter

ITEM NO. 7
APPROVE WORK RELEASE NO. 059 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO DEVELOP A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) FOR THE RICHARDSON PIPELINE PROJECT

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve Work Release No. 059 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to develop a Storm Water Pollution Prevention Plan (SWPPP) for the Richardson Pipeline Project.

ITEM NO. 8
APPROVE REQUEST TO AUTHORIZE THE GENERAL MANAGER TO PURCHASE ONE (1) USED CLASS SIX FLATBED UTILITY TRUCK (BUDGETED)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to authorize the General Manager to purchase one (1) used Class Six flatbed utility truck (budgeted) in a not to exceed sum of \$49,000 excluding tax and licensing fees.

ITEM NO. 10
APPROVE AWARD OF BID TO TRI-WEST TRACTOR, INC. FOR TWO (2) KOBELCO 55SRX-6E COMPACT EXCAVATORS WITH ATTACHMENTS, ONE (1) KOBELCO 140 SRLC-5 EXCAVATOR WITH ATTACHMENTS, ONE (1) KOBELCO SK210LC EXCAVATOR WITH ATTACHMENTS AND ONE (1) KOBELCO SK210LC EXCAVATOR WITHOUT ATTACHMENTS (BUDGETED)

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve award of bid to Tri-West Tractor, Inc. for two (2) Kobelco 55SRX-6E Compact Excavators with attachments, one (1) Kobelco 140 SRLC-5 Excavator with attachments, one (1) Kobelco SK210LC Excavator with attachments and one (1) Kobelco SK210LC Excavator without attachments (budgeted) in the total sum of \$716,877.41.

The above Consent Items passed 4-0 by the following vote:

Ayes:	Directors, Webb, Doornenbal, Santos, Altieri
Noes:	None
Absent:	Director Osmundson

CONSENT CALENDAR
ITEM NOS. 2, 9

ITEM NO. 2

APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE SPECIAL MEETING OF SEPTEMBER 21, 2016 AND RESOLUTION NO. 2016-61; AND BOARD OF DIRECTORS' MINUTES OF THE SPECIAL MEETING OF SEPTEMBER 26, 2016 AND RESOLUTION NO. 2016-62

Director Santos had a question regarding the General Manager's comment contained in Item No. 12 of the Board of Directors' Minutes of the Special Meeting of September 21, 2016. She also stated that Resolution No. 2016-61 is incorrect; Director Santos stated that the resolution should be corrected to indicate "two (2) 3" Sch. 40 PVC private irrigation pipelines," rather than "one."

Director Santos also requested that the following language be added to the Board of Directors' Minutes of the Special Meeting of September 26, 2016 under Item No. 2:

Director Santos requested that the record reflect that Directors Santos and Altieri did not do an independent review of the proposed Project to make a determination that the proposed Project was categorically exempt from the California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations, Section 15301 Class 1(i) Maintenance of Stream Flow to protect fish and wildlife resources.

A motion was made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve the Board of Directors' Minutes of the Special Meeting of September 21, 2016 and Resolution No. 2016-61; and Board of Directors' Minutes of the Special Meeting of September 26, 2016 and Resolution No. 2016-62 once the above corrections have been made to the Minutes of the Board of Directors' Special Meetings of September 21, 2016 and September 26, 2016.

The above Consent Item passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: Director Osmundson

ITEM NO. 9

APPROVE AWARD OF BID TO HAIDLEN FORD FOR ONE (1) 2017 CREW TRUCK (CAB AND CHASSIS) AND SOLE SOURCE THE FABRICATION AND INSTALLATION OF A CUSTOM BED TO STILES TRUCK BODY & EQUIPMENT, INC. (BUDGETED)

Director Santos inquired about the actual cost of the crew truck as compared to the budget. Support Services Manager Jason Jones' response was that when the budget was set we had not received any quotes. The budget was an estimate and when we went out for quotes, the quotes came in higher than the estimate used in the budget.

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve award of bid to Haidlen Ford for one (1) 2017 crew truck (cab and chassis) and sole source the fabrication and installation of a custom bed to Stiles Truck Body & Equipment, Inc. (budgeted) in the total amount of \$96,734.75.

The above Consent Item passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: Director Osmundson

ACTION CALENDAR
ITEM NOS. 11, 12, 13

ITEM NO. 11
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RENEWAL
OF HEALTH INSURANCE COVERAGE EFFECTIVE DECEMBER 1, 2016

Beginning, December 1, 2016 the District's health insurance will fall under the "small group" coverage. The renewal included age-rated rates, which means that each employee, their spouse, and dependents are rated by age.

Along with being considered a "small-group" plan coverages have changed. However, the District can now offer two providers, Kaiser Permanente and Sutter Health, to its employees. There will be two plans available under each provider. A summary of plan benefits are attached.

Based on the renewal quotes, District employees will not experience an increase in the monthly health insurance contributions.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve renewal of health insurance coverage effective December 1, 2016.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: Director Osmundson

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RENEWAL OF
VISION SERVICE PLAN INSURANCE COVERAGE EFFECTIVE JANUARY 1, 2017

The District's pooled vision insurance coverage (Vision Service Plan) through ACWA JPIA will renew on January 1, 2017. The coverage period is January 1, 2017 through December 31, 2017. There have been no premium increases for three years. The plan premiums are:

	<u>Employee</u>	<u>Employee + One</u>	<u>Family</u>
ACWA JPIA 2017 renewal monthly rates	\$21.32	\$21.32	\$21.32

Open enrollment will be conducted upon approval of this renewal.

A motion was made by Director Doornenbal, seconded by Director Santos, and unanimously supported to approve renewal of Vision Service Plan Insurance coverage effective January 1, 2017.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: Director Osmundson

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RENEWAL
OF DELTA DENTAL PLAN INSURANCE COVERAGE EFFECTIVE JANUARY 1, 2017

The District's pooled Delta Dental insurance coverage through ACWA JPIA will renew on January 1, 2017. The coverage period is January 1, 2017 through December 31, 2017. There are no premium increases. The plan premiums are below:

	<u>Employee</u>	<u>Employee + One</u>	<u>Family</u>
ACWA JPIA 2017 renewal monthly rates	\$33.72	\$69.09	\$122.90

Open enrollment will be conducted upon approval of this renewal.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve renewal of Delta Dental Plan Insurance coverage effective January 1, 2017.

The motion passed 4-0 by the following vote:

Ayes: Directors, Webb, Doornenbal, Santos, Altieri
Noes: None
Absent: Director Osmundson

DISCUSSION ITEM

ITEM NO. 14

DISCUSSION ON APPOINTMENT OF AN AD HOC COMMITTEE TO DISCUSS THE ALLOCATION OF THE FUNDS RECEIVED FROM THE FALL PULSE FLOW RELEASE

Under Board Guidelines, the members of an Ad Hoc Committee shall be appointed by the President of the Board and shall serve at the President's pleasure. Under Parliamentary Procedures only those who supported the action of the Board can be involved in an assignment to an Ad Hoc Committee that furthers that action.

President Webb requested that this item be placed on the October 4, 2016 Agenda and he will lead the discussion around his appointments to and duties of this Committee.

President Webb stated that he and Director Osmundson will bring back to the Board a recommendation on how to allocate the funds generated by the late season water release.

COMMUNICATIONS

ITEM NO. 15

A. GENERAL MANAGERS REPORT

Safety Activities

1. OID has gone 609 days without a lost time injury accident.

Administration Activities

1. Welcome to City Council Chambers.
2. WaterFix (Twin Tunnel Hearings) will pick up again in November.
3. The release of the revised Water Quality Control Plan (Unimpaired Flow Standard) from the State Water Resources Control Board is out. Legal is reviewing and modelers are determining the impacts. Preliminary indications are not good.
4. Settlement discussions on the Stanislaus River to avoid the WQCP are at an unknown point due to the release of the document.
5. OE3 labor negotiation meetings on a 7 & 7 schedule will be occurring.
6. Developing an Action Plan with the City to be bring back to the Ad Hoc Committee to address common core issues and resource sharing is still at the City for review.
7. Attended the ACWA Water Management Committee, of which the GM is a member, and was asked to discuss the OGA CEQA case. A negative outcome of this case would have significant financial impacts in the north Sacramento Valley for those irrigation districts who operate there. Much concern and interest was apparent in the room and afterwards by the questions.

Legal Activities

1. Agee vs OID: Plaintiffs (Agee) lost in Superior Court. OID filed an appeal to recoup its attorney's fees. That hearing was held on September 13th in Fresno and are awaiting its decision.

2. OID/SSJID vs the State Water Resources Control Board; this case is over the legal ability of the SWRCB to issue curtailment orders over senior water right holders, as was done in 2015. Waiting for court dates.
3. OID/SSJID as intervenors in the CalSPA v. SWRCB regarding the legality of the SWB's use of Emergency Change Petitions issued to the BOR in managing the State's water resources. A trial date is set for Alameda County Court on August 7, 2017.
4. OGA/Brichetto/Frobose vs. OID:
 - a) Trial set for November 2nd.
5. OID vs Directors Santos and Altieri.
 - a. A Preliminary Injunction hearing has been rescheduled for October 13th at 8:30 a.m., Department 21 before Judge Freeland.

Construction Activities

1. C&M crews and equipment are currently working on maintenance activities and JSF's completed 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. Conducting misc. landowner meetings in regards to capital projects and maintenance issues.
6. Assisting Engineering Dept. in regards to the Two-Mile Bar Tunnel Project.
7. Completed and submitted a draft budget for the Support Services Dept.

Water Operations Activities

Engineering

1. Continued to process Encroachment and Ag Discharge Agreements along with field inspection during installation of the associated facilities.
2. Staff continued to work with landowners requesting deferred conditions of approval agreements, encroachment agreements and easements in accordance to OID's requirements for continued irrigation on recently completed lot line adjustments and parcel split projects.
3. ET monitoring stations are continuing to actively collect data as part of the 2016 ETAW monitoring and measurement program. DWR staff reviewed the sites and project details with OID staff on September 28th. All comments received were positive.
4. The next ESJGBA and work group meetings were held on September 14th. A draft JPA agreement was assembled by the attorney group and provided by the workgroup for review. Additional feedback on the draft has been requested in preparation for subsequent discussions at the October meeting.
5. Staff continued mapping OID's proposed GSA boundaries in the ESJ GW Basin to meet the September deadline for a complete mapping of the basin by SJ County staff to ensure no overlaps exist. The required GSA hearing, resolution and final filing is requested to be completed for each election being proposed by March 2017 to ensure any potential issues can be resolved prior to the June 2017 deadline.
6. A draft MOU regarding STRGBA GSA formation was provided and discussed at the September 8th meeting. Comments are requested by October 7th to allow for an updated draft to be assembled for discussion at the next STRGBA meeting on October 13th.

7. Staff attended the TAC meeting on September 8th. The County's draft Hydrologic Modeling Plan was presented and discussed. The next TAC meeting was rescheduled for October 6th.
8. OID's LAFCO submittal of the Additional Annexations and Fringe Annexations was approved at the August 24th LAFCO meeting and protest proceedings were waived. A Certificate of Completion will be provided by LAFCO after a 30-day posting period.
9. City staff continued to address a series of questions on the draft City of Oakdale Out of Boundary Service Agreement with OID on behalf of ID 41. Once these questions have been answered the agreement will be provided to the ID 41 membership for approval to proceed.
10. Weekly meetings continued with Condor staff to proceed with the South Main Canal Segment 4 design along with the finalization of the Two Mile Bar Tunnel Project bid documents and cost estimate.
11. Staff continued the surveying, design, cost estimates and drafting of plans for 2016/17 winter work projects.

Aq Water

1. The final round of volumetric water delivery tracking will close on October 31st.
2. The public comment period on the Prop. 1 grant funding draft awards list closed on September 14th. The final awards list has yet to be posted, but is anticipated to be before the end of the year.
3. The last rotation of the 2015/16 water year ended on or about September 30th. This was only the 14th rotation in the 2016 calendar year given the start of the season was delayed until the beginning of April after the late rains that were received. Two additional rotations will be offered in October starting on October 1st. The first rotation will be a 16-day rotation which will allow the final rotation in 2016 to start on or about October 17th.

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:
 - Monthly Coliform Bacteria samples were taken on Thursday September 8th. No problems were detected.
 - All Domestic Water Pumping Stations that are in service are operational.
3. Domestic Water Systems:
 - All water systems are operating without restrictions.
 - Performed quarterly blow-off valve exercising.
 - WUD has continued to test all backflow devices in accordance with our Cross Connection Control Policy.
 - Conducted inspections of all well head seals and continuing to replace them as needed.
4. On-Call Activities:
 - On Saturday September 24th WUD was called out to ID 46 for a water leak on a private residence. The customer's water was shut off temporarily for repairs.
6. Knights Ferry Pumping Station:
 - a. The Knights Ferry Pumps are de-activated. The Treatment Plant is on surface water.
7. Irrigation Pumping Stations:

- All of OID Ag pumps are operational.
- WUD has been performing weekly routine inspection, servicing and security checks on the irrigation pumping stations. There was nothing unusual or out of the ordinary to report.

Finance Activities

1. There were 130 drought surcharge refund checks that were not cashed and are stale dated. These checks have been voided and credits have been applied to the applicable customer account.
2. Health, dental, and vision insurance renewals are on the agenda for approval. Open enrollment for dental and vision will begin on October 5th and end on November 2nd. Open enrollment for health insurance will begin on November 1st.
3. Met with domestic improvement district's to discuss 2017 rates.
4. Preparing 2017 budget.

B. COMMITTEE REPORTS

There were no committee meetings of the District.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Altieri

Director Altieri thanked Support Services Manager Jason Jones and Distribution System Operator Josh Loveall for quickly expediting the clean-up on Colony Road off Horseshoe Road. Director Altieri also thanked the equipment operator that performed the work on the Crouch Lateral. She stated that the work was professionally done.

Director Santos

Director Santos commented on the Water Advisory Committee Meeting and stated that she liked the comments made by Brian Lemons at the meeting.

Director Doornenbal

Director Doornenbal commented that right now the governmental agencies are only talking about a 30% to 50% unimpaired flow, but the environmentalists want 60%. Director Doornenbal stated that the unimpaired flow is going to be 50% in no time.

Director Webb

Director Webb stated that he thinks the District should have bumper stickers and/or signs expressing the District's opposition to the unimpaired flows plan. Director Webb stated that we need to bring this to the forefront and keep it in the minds of the public.

At the hour of 9:50 a.m. the meeting adjourned to Closed Session.

CLOSED SESSION **ITEM NO. 16**

A. Government Code §54956.9(d)(2)(3) - Significant Exposure to Litigation One (1) Case

B. Government Code §54956.9(4)(d) – Initiation of Litigation
One (1) Case

C. Government Code §54956.9(d)(1) - Existing Litigation
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.

Oakdale Groundwater Alliance; Frobose; Brichetto, et al. v. Oakdale Irrigation District, et al.

Closed Session was discussed in the following order:

General Counsel Fred Silva requested that Director Santos recuse herself from this Closed Session Item. Director Santos left Closed Session.

B. Government Code §54956.9(4)(d) – Initiation of Litigation
One (1) Case

Director Santos returned to Closed Session.

General Counsel Fred Silva requested that Directors Santos and Altieri recuse themselves from this Closed Session Item. Directors Santos and Altieri refused to leave Closed Session.

A. Government Code §54956.9(d)(2)(3) - Significant Exposure to Litigation
One (1) Case

There was no discussion on this item.

Directors Santos and Altieri left Closed Session.

C. Government Code §54956.9(d)(1) - Existing Litigation
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.

Oakdale Groundwater Alliance; Frobose; Brichetto, et al. v. Oakdale Irrigation District, et al.

At the hour of 10:45 a.m. the meeting returned to open session.

Coming out of Closed Session Director Webb stated that there was no reportable action.

OTHER ACTION
ITEM NO. 17

The meeting adjourned at the hour of 10:45 a.m. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Wednesday, October 19, 2016 at 6:00 p.m.** in the **City of Oakdale Council Chambers, 277 N. Second Avenue, Oakdale, CA 95361**

The next Joint Board Meeting of the **South San Joaquin** and **Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **October 20, 2016 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA.

Steve Webb, President

Attest:

Steve Knell, P.E., Secretary