

**AGENDA
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
OAKDALE IRRIGATION DISTRICT
WEDNESDAY, NOVEMBER 16, 2016**

Agendas and Minutes are on our website at www.oakdaleirrigation.com

CALL TO ORDER 6:00 p.m., the Boardroom of the District Office
1205 East F Street, Oakdale, California 95361

PLEDGE OF ALLEGIANCE

ROLL CALL Directors Webb, Doornenbal, Osmundson, Altieri, Santos

ADDITIONS OR DELETION OF AGENDA ITEMS

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

PUBLIC COMMENTS – ITEM 1

1. The Board of Directors welcomes participation in meetings. This time is provided for the public to address the Directors of the District on matters of concern that fall within the jurisdiction of the Board that are not on the agenda.

Speakers are encouraged to consult District Management or Directors prior to agenda preparation regarding any District operation or responsibility as no action will be taken on non-agenda issues. It is not required, but speakers may provide their name and address.

Because these are non-agenda matters, generally no discussion or comment by the Board should be expected except to properly refer the matter for review or action as appropriate.

Public Comments will be limited to five minutes per speaker.

CONSENT CALENDAR - ITEMS 2 - 13

Agenda items listed under the Consent Calendar may be acted upon individually, in whole or in part. Subsequently, should discussion on a particular item be desired, you should identify the item now so as to remove it from the list of items to be approved under one motion. Any items removed from the list on Consent Calendar items will be discussed and acted upon individually following action on the remaining Consent Calendar items if so moved.

2. Approve the **Board of Directors' Minutes of the Regular Meeting of November 1, 2016 and Resolution Nos. 2016-64, 2016-65, 2016-66, and 2016-67**
3. Approve **Oakdale Irrigation District Statement of Obligations**
4. Approve **Assignment of Capital Work Order Numbers**
5. Approve **Annual Renewal of Section 125 Plan with Redwood Health Services Effective January 1, 2017**
6. Approve **Work Release No. 025 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for Cutting, Bending, and Placement of Rebar for One (1) ea. Standard Control Structure Located on the West Thalheim Pipeline**
7. Approve **Work Release No. 026 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for Cutting, Bending, and Placement of Rebar for Two (2) ea. Bridge Footing Abutments and Four (4) ea. Wing Walls Located on the North Main Canal – Fields Ranch**
8. Approve **Work Release No. 027 to General Services Agreement 2013-GSA-032 with Northern Steel, Inc. for Cutting, Bending, and Placement of Rebar for One (1) ea. Standard Drop Structure Located on the Albers/Stowell Lateral**
9. Approve **Request for New Irrigation Service to a Substandard Parcel Served by the Burnett Lateral (APN: 006-001-061 – Marco A. and Maria I. Casillas)**
10. Approve **Encroachment Permit on the Adams Lateral No. 2 (APN: 010-039-043 – Kenneth C. Johnson, Jr. and Laura C. Johnson 2013 Trust)**
11. Approve **Agricultural Discharge Permit on the Mootz Lateral (APN: 062-027-004 – Coelho Farming, LLC)**
12. Approve **Encroachment Permit on the Mootz Lateral (APN: 062-027-004 – Coelho Farming, LLC)**
13. Approve **Abandonment and Quitclaim of a Portion of the Albers Lateral No. 2 and Accept a New Grant of Easement through (APN: 014-043-008 – Pete Postma Dairy Properties, L.P.)**

ACTION CALENDAR – ITEMS 14 - 15
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14. Review and take possible action to **Cancel the December 21, 2016 Special Board Meeting Due to the Holiday Schedule**

15. Review and take possible action **Authorizing Travel Expenses for the General Manager and Water Counsel to Travel to Washington DC to Advocate for Predator Suppression, New Melones Storage, and the Water Quality Control Plan**

DISCUSSION – ITEMS 16 - 17

16. Discussion / Presentation of **Proposed Draft 2017 Budget**
17. Discussion on **Business Items as they Appear on the Tri-Dam Board Agenda for Thursday, November 17, 2016**

COMMUNICATIONS – ITEM 18

18. Oral Reports and Comments
- A. **General Manager's Report on Status of OID Activities**
 - B. **Committee Reports**
 - Finance Committee Meeting, Monday, November 7, 2016
 - Draft 2017 Budget
 - C. **Directors' Comments/Suggestions**

CLOSED SESSION - ITEM 19

19. Closed Session to discuss the following:
- A. **Government Code §54957.6 - Conference with Labor Negotiator**
Agency Negotiator: General Manager
Represented Employee: OE3
 - B. **Government Code §54957**
Public Employee Performance Evaluation
Title: General Manager
 - C. **Government Code §54956.9(4)(d) – Initiation of Litigation**
Two (2) Cases
 - D. **Government Code §54956.9(d)(2)(3) – Significant Exposure to Litigation**
One (1) Case

E. 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

OTHER ACTION – ITEM 19

20. Adjournment:

- A. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, December 6, 2016 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.
- B. 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 **Thursday, November 17, 2016 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA.

Writings distributed to Board Members in connection with the open session items on this agenda are available for public inspection in the office of the Board Secretary. Any person who has a question concerning any of the agenda items may call the Administrative Assistant at (209) 840-5507.

ADA Compliance Statement: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (209) 840-5507. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.



PUBLIC COMMENTS

No Information Included

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016



AGENDA ITEMS CONSENT CALENDAR

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 2
APN: N/A

SUBJECT: APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE REGULAR MEETING OF NOVEMBER 1, 2016 AND RESOLUTION NOS. 2016-64, 2016-65, 2016-66, 2016-67

RECOMMENDED ACTION: Approve

ATTACHMENTS:

- Draft Minutes of the Board of Directors' Regular Meeting of November 1, 2016
- Draft Resolution No. 2016-64
- Draft Resolution No. 2016-65
- Draft Resolution No. 2016-66
- Draft Resolution No. 2016-67

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

MINUTES

Oakdale, California
November 1, 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 9:00 a.m. Upon roll call, there were present:

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

Staff Present: Steve Knell, General Manager/Secretary
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 9:01 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 2

Chuck Mount who resides at 11713 Pioneer Avenue, Oakdale, stated that he filed a claim for the fallowing that he did to his ground pursuant to the On-Farm Agreement between OID and him. Director Webb advised Mr. Mount that the On-Farm Water Conservation claims will be discussed on the Action Calendar and he can make his comments at that time.

Tom Orvis with Stanislaus County Farm Bureau reminded everyone present about the SED public hearings scheduled at the Modesto Center Plaza at 9:00 a.m. on December 20, 2016, December 19th in Merced at the Multi-Cultural Arts Center and on December 16th at the Stockton Civic Auditorium in Stockton.

Mr. Orvis also stated that on November 18, 2016 there will be a Stanislaus County Spray Safe at the Stanislaus County Ag Pavilion on the MJC West Campus. They will also provide safety training for any employees that are not already enrolled in a safety training program. Lunch will be provided.

There being no further Public Comment; Public Comment closed at 9:05 a.m. and the Board Meeting continued.

Director Altieri requested that Item No. 2 be pulled from the Consent Calendar; and Director Santos requested that Item No. 6 be pulled from the Consent Calendar.

CONSENT ITEMS
ITEM NOS. 3, 4, 5, 7, 8

ITEM NO. 3
APPROVE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

A motion was made by Director Doornenbal, and seconded by Director Osmundson and unanimously supported to open this item up for public comment.

ITEM NO. 4
APPROVE IMPROVEMENT
DISTRICT STATEMENT OF OBLIGATIONS

A motion was made by Director Doornenbal, seconded by Director Osmundson, 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 SEPTEMBER 30, 2016

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to approve the Treasurer and Chief Financial Officer's Report for the month ending September 30, 2016.

ITEM NO. 7
APPROVE WORK RELEASE NO. 061 TO PROFESSIONAL SERVICES
AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL
SERVICES TO PREPARE A PLAT AND LEGAL DESCRIPTION FOR A THIRTY
FOOT EASEMENT FOR THE RICHARDSON PIPELINE THROUGH APN: 062-001-003

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to approve Work Release No. 061 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to prepare a plat and legal description for a thirty foot easement for the Richardson Pipeline through APN: 062-001-003.

ITEM NO. 8
APPROVE WORK RELEASE NO. 062 TO PROFESSIONAL
SERVICES AGREEMENT PSA-015 WITH GIULIANI & KULL,
INC. FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES

A motion was made by Director Doornenbal, second by Director Osmundson, and unanimously supported to approve Work Release No. 062 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for On-Call Professional Engineering Services.

The above Consent Items passed 5-0 by the following vote:

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

CONSENT CALENDAR
ITEM NOS. 2, 6

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE
SPECIAL MEETING OF OCTOBER 19 2016 AND RESOLUTION NO. 2016-63

Director Altieri requested several changes to the minutes. (1) That the name of a commenter who spoke in public comment be removed, as it was not given; (2) Coming out of Closed Session the individual votes of each Director should be shown in the minutes; and (3) That her Director's comment be corrected to read "a *monthly* update on the redistricting."

A motion was made by Director Altieri, seconded by Director Santos, and unanimously supported to approve the Board of Directors' Minutes of the Special Meeting of October 19, 2016 and Resolution No. 2016-63 once the corrections stated above have been made to the Minutes.

ITEM NO. 6
APPROVE BOARD ATTENDANCE AT THE ACWA FALL
CONFERENCE IN ANAHEIM NOVEMBER 29, 2016 THROUGH DECEMBER 2, 2016

Director Santos asked when the Directors and/or staff attend a conference what do they get reimbursed for? General Manager Steve Knell, stated there is an OID policy on that matter. Should she wish more details to contact the Chief Financial Officer Kathy Cook upon her return.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to approve Board attendance at the ACWA Fall Conference in Anaheim November 29, 2016 through December 2, 2016.

The above Consent Items passed 5-0 by the following vote:

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

ACTION CALENDAR
ITEM NOS. 10, 11, 12, 13, 14

**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A
RESOLUTION SETTING AGRICULTURAL WATER USER RATES FOR 2017**

At the recommendation of Staff, and as stated on the attached resolution, the *Fixed Charge, Volumetric Charge, and 3% annual inflation rate* on the Schedule of Agricultural Water User Rates may be implemented for the 2017 water year.

The *Drought Surcharge* would not be implemented until such time as the District declares a drought.

A motion was made by Director Osmundson, seconded by Director Doornenbal, and unanimously supported to not increase the Fixed Charge or the Volumetric Charge for 2017 by the 3% annual inflation rate.

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

ITEM NO. 11
**REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION SETTING
DOMESTIC WATER IMPROVEMENT DISTRICT OPERATION AND
MAINTENANCE CHARGES AND OTHER RELATED CHARGES FOR THE YEAR 2017**

Staff met with all the domestic water improvement district (ID) committees during the months of September and October. All five ID Committees attended their meetings.

The attached resolution provides for setting 2017 Domestic Water ID Operation and Maintenance (O&M) rates. It is anticipated that these O & M rates are sufficient to cover the current year's anticipated expenditures, as well as the next year's anticipated expenditures.

ID 45 is not included in this resolution as this ID has previously voted on their rate structure through the Prop 218 process.

Due Dates:

1st Installment – Friday, December 30, 2016 at 5:00 pm.

2nd Installment – Tuesday, June 20, 2017 at 5:00 pm.

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to adopt the Resolution Setting Domestic Water Improvement District Operation and Maintenance Charges and Other Related Charges for the Year 2017.

The motion passed 5-0 by the following vote:

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

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A
RESOLUTION SETTING DOMESTIC WATER IMPROVEMENT
DISTRICT RESERVE FUND CONTRIBUTIONS FOR THE YEAR 2017

As approved by the landowners of ID 46 and 51, staff is submitting the attached resolution for 2017 Capital Reserve Fund contributions.

ID 45 is not included in this resolution as this ID has previously voted on their rate structure through the Prop 218 process.

Due Dates:

1st Installment – Friday, December 30, 2016 at 5:00 pm.

2nd Installment – Tuesday, June 30, 2017 at 5:00 pm.

No postmarks are accepted.

A motion was made by Director Osmundson, seconded by Director Santos, and unanimously supported to adopt the Resolution Setting Domestic Water Improvement District Reserve Fund Contributions for the Year 2017.

The motion passed 5-0 by the following vote:

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

ITEM NO. 13
REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION
SETTING AG WATER SYSTEM IMPROVEMENT DISTRICT OPERATION AND
MAINTENANCE CHARGES AND OTHER RELATED CHARGES FOR THE YEAR 2017

Staff sent letters to all landowners of each agricultural water system improvement districts during the month of September. The attached resolution provides for setting their 2017 Operation and Maintenance (O&M) rates. It is anticipated that these O & M rates are

sufficient to cover the current year's anticipated expenditures, as well as next year's anticipated expenditures.

Due Dates:

1st Installment – Friday, December 30, 2016 at 5:00 pm.

2nd Installment – Tuesday, June 20, 2017 at 5:00 pm.

No postmarks are accepted.

A motion was made by Director Doornenbal, seconded by Director Osmundson, and unanimously supported to adopt the Resolution Setting Ag Water System Improvement District Operation and Maintenance Charges and Other Related Charges for the Year 2017.

The motion passed 5-0 by the following vote:

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

ITEM NO. 14
REVIEW AND TAKE POSSIBLE ACTION TO AMEND THE RECORDS
RETENTION AND DESTRUCTION POLICY TO COMPLY WITH THE BROWN ACT

The current Records Retention and Destruction Policy was adopted by the Board on February 7, 1995. The following is a chronological history of Board action regarding tape recordings of meetings:

- On May 23, 2000 minute recordings were added to the Records Retention and Destruction Policy and stated, "All recordings of Board minutes be destroyed two working days after the minutes are approved by the Board of Directors."
- On June 6, 2000, the policy was amended by the Board to ". . . discontinue tape recording of the Board of Directors' Meetings."
- On July 18, 2000, the policy was amended, ". . . to tape record Board Meetings and retain such tapes for 30 days as otherwise described by the Brown Act."
- On February 2, 2002 the policy was amended to state, "Tape Recordings of the meetings of the Board of Directors shall be destroyed one (1) year after the taping or recording."

Staff is recommending that the Records Retention and Destruction Policy be amended to state, "Tape recordings of the meetings shall be destroyed 30 days after the taping or recording," to comply with the Brown Act.

The Brown Act requires that any tape or film record of an open and public meeting made for whatever purpose by or at the direction of the local agency is subject to the Public Records Act; however, it may be erased or destroyed 30 days after the taping or recording. (*Government Code* §54953.5(b).) Further, as required by *Government Code* §60201(d)(3),

the District retains the Minutes of all Board Meetings indefinitely and therefore, there is no need to retain the tape recordings for one year.

A motion was made by Director Doornenbal, seconded by Director Osmundson for discussion.

Thereafter Director Doornenbal rescinded his prior motion.

A motion was made by Director Santos, seconded by Director Osmundson, and unanimously supported to not amend the Records Retention and Destruction Policy and keep the tapes for one (1) year as currently stated in the policy.

The motion passed 5-0 by the following vote:

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

ITEM NO. 10

COMMUNICATIONS

ITEM NO. 16

A. GENERAL MANAGERS REPORT

Safety Activities

1. OID went 630 days without a lost time injury accident. On October 25 an employee suffered a groin strain, ending a record spree of no worker injuries. Great job to all employees!!

Administration Activities

1. Attended lunch with Congressman Jeff Denham on water issues in our area. SSJID in attendance as well.
2. WaterFix and the modeling runs used as the basis of impacts were the discussion topics under examination by the lawyers in Sacramento last week at the State Water Board.
3. Water Quality Control Plan (Unimpaired Flow Standard) from the State Water Resources Control Board is still being reviewed for the finer details and impacts.
 - a. Meeting with westside irrigation districts this week who have concerns about the SED plan.
 - b. Meeting with Bureau of Reclamation on WQCP in early November on same.
 - c. Hearing dates Nov. 10th, 29th in Sacramento and Dec. 16th, 19th and 21st in Stockton, Merced and Modesto, respectively.
4. Settlement discussions on the Stanislaus River may pick up again in November. Awaiting some guidance from State officials. Could consume lots of time in November and December.
5. OE3 labor negotiations continuing.
6. Staff met on 2017 Budget development in preparation for Finance Committee.

7. Still waiting for City of Oakdale's response on an Action Plan OID sent over.
8. Doing another FishBio photo documentary on the rainbow trout concerns in the Stanislaus River.

Legal Activities

1. Agee vs OID: OID lost on its motion to recoup its attorney fees.
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. Court date set for next summer.
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 January 18th
5. OID vs Directors Santos and Altieri.
 - a. The case is moving forward.
6. Redistricting Process
 - a. Process to begin after first of the year. Board presentation in February and Hearing in late February with Board adoption in March.
 - b. Regulatory compliance is 180 days preceding the election (May 11th)

Construction Activities

1. C&M crews and equipment are currently working on maintenance activities and JSF's completed by Water Dept. staff. C&M staff are preparing sites for capital projects to commence upon dewatering of the system.
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. Continuing to conduct the standard construction refresher training with DSO's when they are available. Scheduled a training day for Dec. 14th for ACWA/JPIA instructors to teach three classes to OID staff; Asbestos Cement Pipe Safety, Field Ergonomics & Fall Protection.
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. Commenced interviews with candidates for the vacant DSO/C&M & C&M Worker positions.

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 installed as part of the 2016 ETAW monitoring and measurement program collected data through the end of October. Weather permitting, the Dessert Research Institute stations are scheduled to be removed on or about November 2nd. The Tule ET stations may remain in the field to collect additional data for the full year of the contract period pending permission and an updated contract with the associated landowners.
4. The next monthly ESJGBA and work group meetings are scheduled to be held on November 9th. Discussion of the draft JPA/MOU agreement discussions will continue.
5. Staff completed draft mapping of OID's proposed GSA boundaries in the ESJ GW Basin and forwarded to SSJID, Calaveras County Water District and Stanislaus County for review of the line work in adjoining areas. 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. Additional comments on the draft MOU regarding STRGBA GSA formation were discussed at the October 8th meeting. Final review and comments are requested ASAP to allow for an updated draft to be assembled for discussion at the next STRGBA meeting on November 10th.
7. A request for data from OID as well as from the STRGBA was rec'd by Stan. Co.'s consultant in support of the County's draft PEIR GW model development. Staff began to compile the data for submittal.
8. Staff is working on draft Annexation Agreements for final approval by the board. Little progress to date has been made given the priority of closeout of the irrigation season and the finalization of engineering plans.
9. Emily Sheldon, OID's Associate Engineer, gave birth to a baby girl on October 21st. Mom, family and baby are doing well. Congratulations to Emily. She will be missed over the next several weeks while she gets settled in with the new arrival.
10. Pertinent options and factors to consider in the Board of Director Divisions Redistricting Project will be brought back to Board for consideration and staff direction no later than January to ensure completion prior to the next election.
11. 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.
12. 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.
13. Staff continued the surveying, design, cost estimates, landowner meetings 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. Standard QA/QC procedures for review of deliveries in this tracking period continued.
2. The public comment period on the Prop. 1 grant funding draft awards list closed on September 14th. The final awards list is anticipated to be posted before the end of the year.
3. Interviews to fill a vacant DSO/C&M position started the week of October 24th.
4. The second rotation in October and final of the 2016 calendar year started on or about October 17th. Water remained in the system as demand dictated nearly to the end of

October. DSOs made water available as reasonably requested through the last week of October and initiated winterization procedures before starting winter C&M activities in the first week of November.

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 Tuesday October 4th. 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.
 - Performed Air Relief 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:
 - There are zero calls to report.
6. Knights Ferry Pumping Station:
 - The Knights Ferry Pumps are activated. The river pumps are providing water to the treatment plant.
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. Health Insurance Open Enrollment employee meetings will be held on Friday, November 4, 2016.
2. Finance Meeting is set for November 7, 2016 to review the draft 2017 budget.
3. Assisting GM in OE3 labor negotiations.
4. Updating parcel and landowner information in preparation of the 2017 water delivery charge billing to be sent out the week of November 7th, along with the final 2016 volumetric billing.

B. COMMITTEE REPORTS

There were no committee reports.

C. DIRECTORS' COMMENTS/SUGGESTIONS

Director Altieri

Director Altieri asked what the dates were in December that the office was closed. General Manager Steve Knell stated that the office was closed the week of December 19, 2016 for

Christmas. Director Altieri asked if the second Board Meeting would be cancelled due to the office being closed. General Manager Steve Knell stated that that would be on the next agenda. Director Altieri also asked if the digital sign was showing our Save the Stan advertisement for the SED. The General Manager replied yes.

Director Santos

Director Santos had no comments.

Director Doornenbal

Director Doornenbal had no comments.

Director Osmundson

Director Osmundson commended the employees for a great irrigation season. He thanked all of the DSOs and everyone behind the scenes.

Director Webb

Director Webb thanked the constituents for a good season and stated that everybody worked together and we all did a good job. Director Webb also stated that he felt that the Governor was behind the unimpaired flow; that it is not entirely the State Water Resources Control Board. It is the Governor who directs the SWRCB.

ACTION CALENDAR

ITEM NO. 9

ITEM NO. 9

**REVIEW AND TAKE POSSIBLE ACTION TO REJECT ANY AND
ALL CLAIMS FILED BY PARTICIPANTS OF THE ON-FARM WATER
CONSERVATION PROGRAM AND TO AUTHORIZE GENERAL COUNSEL AND THE
GENERAL MANAGER TO SETTLE ALL PENDING AND FUTURE DAMAGE CLAIMS**

Generally speaking, the Tort Claims Act requires the presentation of a claim to a public entity for money or damages as a prerequisite to bringing a lawsuit against it. (Gov. Code, §§ 905, 905.2, 910, 945.4.) The primary function that serves is to apprise the governmental body of the possibility of imminent legal action so that it may investigate and evaluate the claim and, where appropriate, avoid litigation by settling meritorious claims. (City of San Jose v. Superior Court, supra, 12 Cal.3d 447, 455; C.A. Magistretti Co. v. Merced Irrigation Dist. (1972) 27 Cal.App.3d 270, 276; Jenkins v. Contra Costa County (1985) 167 Cal.App.3d 152, 157.)

The claims process commences with the presentation of a claim by the claimant or by a person acting on his behalf. (Gov. Code, § 910; cf. §§ 905, 911.2.). ACWA/JPIA recommends rejecting all claims received. Said notice of rejection narrows the available litigation window from 2-years down to 6-months.

On March 15, 2016 the Board approved the One Year Pilot On-Farm Water Conservation Program. After approval of the Program, 59 contracts were entered into and executed by Program participants.

On April 1, 2016, OGA, Louis Brichetto and Bob Frobose filed a suit against the OID challenging the On Farm Water Conservation Program.

On May 27, 2016 The Superior Court of Stanislaus County issued a preliminary injunction prohibiting OID from continuing with the On-Farm Program until a court trial is concluded.

OID has complied with the court's order and has not performed any actions under the 59 contracts that were executed by participant landowners.

To date, OID has received 5 claims resulting from non-payment on executed contracts under the On-Farm Conservation Program. A copy of those claims are attached and a summary of the claim amounts are provided below.

Claimant	20%	Additional Claim	Total
Bergwerff Farms, Inc.	\$8,895	\$7,946	\$16,241
Egidio Oliveira	\$6,572	\$2,817	\$ 9,389
Egidio Oliveira	\$7,905	\$4,489	\$12,394
Egidio Oliveira	\$9,093	\$3,898	\$12,991
Chuck Mount	\$2,346		\$ 2,346

Excerpts from Government Code:

Section 912.4. (a) The board shall act on a claim in the manner provided in Sections 912.6, 912.7, or 912.8 within 45 days after the claim has been presented. If a claim is amended, the board shall act on the amended claim within 45 days after the amended claim is presented.

(b) The claimant and the board may extend the period within which the board is required to act on the claim by written agreement made either:

(1) Before the expiration of the period.

(2) After the expiration of the period if an action based on the claim has not been commenced and is not yet barred by the period of limitations provided in Section 945.6.

(c) If the board fails or refuses to act on a claim within the time prescribed by this section, the claim shall be deemed to have been rejected by the board on the last day of the period within which the board was required to act upon the claim. If the period within which the board is required to act is extended by agreement pursuant to this section, the last day of the period within which the board is required to act shall be the last day of the period specified in the agreement.

Section 912.6. (a) In the case of a claim against a local public entity, the board may act on a claim in one of the following ways:

(1) If the board finds the claim is not a proper charge against the public entity, it shall reject the claim.

(2) If the board finds the claim is a proper charge against the public entity and is for an amount justly due, it shall allow the claim.

(3) If the board finds the claim is a proper charge against the public entity but is for an amount greater than is justly due, it shall either reject the claim or allow it in the amount justly due and reject it as to the balance.

(4) If legal liability of the public entity or the amount justly due is disputed, the board may reject the claim or may compromise the claim.

(b) In the case of a claim against a local public entity, if the board allows the claim in whole or in part or compromises the claim, it may require the claimant, if the claimant accepts the amount allowed or offered to settle the claim, to accept it in settlement of the entire claim.

(c) Subject to subdivision (b), the local public entity shall pay the amount allowed on the claim or in compromise of the claim in the same manner as if the claimant had obtained a final judgment against the local public entity for that amount, but the claim may be paid in not exceeding 10 equal annual installments as provided in Section 970.6 only if the claimant agrees in writing to that method of payment and in such case no court order authorizing installment

At the hour of 9:50 a.m., the Board went into Closed Session to discuss a portion of Item No. 16 A, which dealt with Action Item No. 9.

The Board reconvened into open session at the hour of 10:21 a.m. and the following action was reported coming out of Closed Session:

A motion was made by Director Santos to reject the claims and forward them to ACWA/JPIA for settlement of all pending and future claims from the On-Farm Water Conservation Program, was seconded by Director Altieri, and failed 2-3 by the following roll call vote:

Director Osmundson No
Director Doornenbal No
Director Altieri Yes
Director Santos Yes
Director Webb No

A motion was made by Director Doornenbal to reject all claims and authorize General Counsel and the General Manager to settle all pending and future damage claims from the On-Farm Water Conservation Program, was seconded by Director Webb, and was approved 3-2 by the following roll call vote

Director Osmundson Yes
Director Doornenbal Yes
Director Altieri No
Director Santos No
Director Webb Yes

At the hour of 10:39 a.m. the meeting adjourned back into Closed Session.

CLOSED SESSION
ITEM NO. 16

A. Government Code §54956.9(d)(2)(3) - Significant Exposure to Litigation
Six (6) Cases

B. Government Code §54956.9(4)(d) – Initiation of Litigation
Two (2) Cases

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.

D. Government Code §54957
Public Employee Performance Evaluation
Title: General Manager

At the hour of 12:00 a.m. the meeting returned to open session.

Coming out of Closed Session it was reported that by a 3-2 vote the Board instructed the General Counsel to address the postcard that was mailed out and the motion was approved by following roll call vote:

Director Doornenbal Yes
Director Osmundson Yes
Director Santos No
Director Altieri No
Director Webb Yes

OTHER ACTION
ITEM NO. 17

The meeting adjourned at the hour of 12:00 a.m. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Wednesday, November 16, 2016 at 6:00 p.m.** in the board room at 1205 East F Street, Oakdale, CA.

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 **Thursday, November 17, 2016 at 9:00 a.m.** in the board room of the Oakdale Irrigation District, 1205 East F Street, Oakdale, CA..

Steve Webb, President

Attest:

Steve Knell, P.E., Secretary

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-64**

**AGRICULTURAL WATER USER RATES
FOR THE WATER YEAR 2017**

WHEREAS, California Water Code Section 22280, et seq. provides that the District may levy charges in lieu of assessments; and

WHEREAS, Water Code Section 22283 provides that the District may prescribe reasonable rules to carry out the provisions of the Water Code section 22280, et seq.; and

WHEREAS, said change is exempt from CEQA under Public Resources Code Section 21080(a) (8); and

WHEREAS, on October 21, 2014, the District accepted and approved the increase in agricultural water user rates as identified in Exhibit A as the maximum that could be imposed without being subject to the requirements of Article XIII D(6) of the California Constitution; and

WHEREAS, the District declares the following:

- (1) The revenues derived from these rates do not exceed the funds required to provide subject properties related services.
- (2) The revenues derived from the rates will not be used for any purpose other than that for which the rates are imposed.
- (3) The amount of a rate imposed shall not exceed the proportional cost of the service; and

NOW BE IT RESOLVED AND ORDERED, the District desires to implement Agricultural Water User Rates for the 2017 water year to remain the same as the 2016 water year as follows:

- (1) FIXED CHARGE to be implemented.
- (2) VOLUMETRIC CHARGE to be implemented.
- (3) DROUGHT SURCHARGE will not be implemented.
- (4) Three-percent ANNUAL INFLATION will not be implemented.

BE IT FURTHER RESOLVED, that all charges as identified in this Resolution shall be applicable to each separate parcel, as shown on the District records of Stanislaus County and San Joaquin County Assessor's Parcel Maps.

BE IT FURTHER RESOLVED, that each said fixed charge shall be collected in two equal installments, the first of which is due on December 30, 2016, and the second on June 20, 2017. If payment for the first installment is not received in the District office by 5:00 p.m. payment will be considered delinquent, and penalty charges will be made according to current policy. If payment for the second installment is not received in the District office by 5:00 p.m. payment will be considered delinquent, and penalty charges will be made according to current policy.

BE IT FURTHER RESOLVED that the District shall charge and collect, in accordance with California Water Code sections 26077, the following penalties on fixed charges that become delinquent:

Fixed Charge

Ten percent (10%) on the first installment.

Five percent (5%) on the second installment plus \$5.00 service charge.

BE IT FURTHER RESOLVED that each volumetric billing is due within 30 days of said statement date. Irrigation water deliveries will continue if not paid by the aforementioned due date, and no penalties will be applied. If the current year's volumetric charges are not paid by Friday, December 29, 2017 at 5:00 p.m. at the District office, penalties will be applied. Postmarks will not be accepted.

BE IT FURTHER RESOLVED that the District shall charge and collect, in accordance with California Water Code sections 26077, the following penalties on volumetric charges that become delinquent:

Volumetric Charge

Ten percent (10%)

BE IT RESOLVED that said volumetric charge will be billed for the following periods:

- Start of the irrigation season through May 31st each year,
- June 1st through July 31st, each year,
- August 1st through the end of the irrigation season each year.

NOW THEREFORE, BE IT FURTHER RESOLVED that parcels of lands with outstanding current year charges as of December 31st each year will not be furnished irrigation water for the subsequent irrigation season until these charges are paid in full.

BE IT FURTHER RESOLVED, that this resolution supersedes any other previous resolution relating to the above subject matter.

Upon motion of Director Osmundson, seconded by Director Doornenbal, and duly submitted to the Board for its consideration, the above titled resolution was adopted this 1st day of November 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

Steve Knell, P.E.
General Manager/Secretary

EXHIBIT A
SCHEDULE OF AGRICULTURAL WATER USER RATES
2017

FIXED CHARGE

\$27.81 per acre (with a minimum rate of \$55.62)

VOLUMETRIC CHARGE

Tier 1: \$ 3.24 per acre-foot per acre / up to 3 acre-feet

Tier 2: \$ 6.44 per acre-foot per acre / for each additional acre-foot up to 5 acre-feet

Tier 3: \$ 8.55 per acre-foot per acre/ for each additional acre-foot up to 7 acre-feet

Tier 4: \$10.71 per acre-foot per acre / for each additional acre-foot up to 8 acre-feet

Tier 5: \$21.37 per acre-foot per acre / for each additional acre-foot over 8 acre-feet

DROUGHT SURCHARGE – *Not implemented*

\$6.28 per acre

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-65**

**SETTING DOMESTIC WATER IMPROVEMENT DISTRICT
OPERATION AND MAINTENANCE CHARGES AND
OTHER RELATED CHARGES FOR 2017**

WHEREAS, the Board of Directors has considered the operation and maintenance costs for the year 2017 for each of the following domestic water Improvement Districts (ID) in the Oakdale Irrigation District and has determined that the amounts set are the amounts required for that purpose; and

WHEREAS, this Board has determined that required funds for the operation and maintenance of said IDs for the year 2017 shall be raised by a charge levied per acre, per lot, or per 100 square feet, whichever is applicable.

NOW, THEREFORE BE IT RESOLVED that for the purpose of raising funds to pay the normal operation and maintenance costs, and/or specific capital improvements for the year 2017 a charge in the amount set forth for each said ID shall be made as follows:

<u>ID NO.</u>	<u>CHARGE PER ACRE</u>	<u>CHARGE PER LOT</u>	<u>CHARGE PER 100 S.F.</u>	<u>TOTAL PER ID</u>
22			\$3.85	\$21,173
41		\$1,500.00		60,000
46	\$ 800.00			60,600
51	700.00			49,469

BE IT FURTHER RESOLVED, that each said charge shall be collected in two equal installments, the first of which is due on December 30, 2016, and the second on June 20, 2017. If payment for the first installment is not received in the District office by 5:00 p.m. on December 30, 2016, payment will be considered delinquent, and penalty charges will be made according to current policy. If payment for the second installment is not received in the District office by 5:00 p.m. on June 20, 2017, payment will be considered delinquent, and penalty charges will be made according to current policy.

BE IT FURTHER RESOLVED, that the District shall charge and collect the following penalties on said charges that become delinquent:

Ten percent (10%) on the first installment
Five percent (5%) on the second installment, plus \$5.00 service charge

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Treasurer of this District as the authority for establishing said rates.

Upon motion of Director Santos, seconded by Director Altieri, and duly submitted to the Board for its consideration, the above titled resolution was adopted this 1st day of November 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

Steve Knell, P.E.
General Manager / Secretary

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-66**

**SETTING DOMESTIC WATER IMPROVEMENT DISTRICT
CAPITAL RESERVE FUND CONTRIBUTIONS FOR 2017**

WHEREAS, the Board of Directors has considered the Capital Reserve Fund contributions for the year 2017 for each of the following domestic water Improvement Districts (ID) in the Oakdale Irrigation District and has determined that the amounts set are those that were previously adopted by the ID landowners; and

WHEREAS, this Board has determined that required funds for the Capital Reserve Funds of said IDs for the year 2017 shall be raised by a charge levied per acre, or per lot, whichever is applicable.

NOW, THEREFORE BE IT RESOLVED that for the purpose of setting Capital Reserve Fund contributions for the year 2017 an amount set forth for each said ID shall be made as follows:

<u>ID NO.</u>	<u>CHARGE PER ACRE</u>	<u>CHARGE PER LOT</u>	<u>TOTAL PER ID</u>
46		\$290.00	\$22,910
51	\$374.12		26,439

BE IT FURTHER RESOLVED, that each said charge shall be collected in two equal installments, the first of which is due on December 30, 2016, and the second on June 20, 2017. If payment for the first installment is not received in the District office by 5:00 p.m. on December 30, 2016, payment will be considered delinquent, and penalty charges will be made according to current policy. If payment for the second installment is not received in the District office by 5:00 p.m. on June 20, 2017, payment will be considered delinquent, and penalty charges will be made according to current policy.

BE IT FURTHER RESOLVED, that the District shall charge and collect the following penalties on said charges that become delinquent:

Ten percent (10%) on the first installment
Five percent (5%) on the second installment, plus \$5.00 service charge

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Treasurer of this District as the authority for establishing said rates.

Upon motion of Director Osmundson, seconded by Director Santos, and duly submitted to the Board for its consideration, the above titled resolution was adopted this 1st day of November 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

Steve Knell, P.E.
General Manager / Secretary

**00AKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016- 67**

**SETTING AG WATER SYSTEM IMPROVEMENT DISTRICT
OPERATION AND MAINTENANCE CHARGES AND
OTHER RELATED CHARGES FOR 2017**

WHEREAS, the Board of Directors has considered the operations and maintenance costs for the year 2017 for each of the following Improvement Districts (ID) in the Oakdale Irrigation District and has determined that the amounts set are the amounts required for that purpose; and

WHEREAS, this Board has determined that required funds for the operation and maintenance of said IDs for the year 2017 shall be raised by a charge levied per acre.

NOW, THEREFORE BE IT RESOLVED that for the purpose of raising funds to pay the normal operation and maintenance costs for the year 2017 a charge in the amount set forth for each said ID shall be made as follows:

<u>ID NO.</u>	<u>CHARGE PER ACRE</u>	<u>TOTAL PER ID</u> <i>(in whole dollars)</i>
01	\$13.85	\$701
02	17.50	677
08	15.00	872
13	2.50	273
19	4.00	2,855
20	15.50	638
21	34.00	649
26	69.00	759
29	5.00	1,340
31	3.00	656
36	15.50	652
38	7.50	589
48	20.00	1,891

BE IT FURTHER RESOLVED, that each said charge shall be collected in two equal installments, the first of which is due on December 30, 2016, and the second on June 20, 2017. If payment for the first installment is not received in the District office by 5:00 p.m. on December 30, 2016, payment will be considered delinquent, and penalty charges will be made according to current policy. If payment for the second installment is not received in the District office by 5:00 p.m. on June 20, 2017, payment will be considered delinquent, and penalty charges will be made according to current policy.

BE IT FURTHER RESOLVED, that the District shall charge and collect the following penalties on said charges that become delinquent:

Ten percent (10%) on the first installment
Five percent (5%) on the second installment, plus \$5.00 service charge

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Treasurer of this District as the authority for establishing said rates.

Upon motion of Director Doornenbal, seconded by Director Osmundson, and duly submitted to the Board for its consideration, the above titled resolution was adopted this 1st day of November 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

Steve Knell, P.E.
General Manager / Secretary

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 3
APN: N/A

SUBJECT: APPROVE OAKDALE IRRIGATION DISTRICT'S STATEMENT OF OBLIGATIONS

RECOMMENDED ACTION: Approve Statement of Obligations

TOP TEN OBLIGATIONS

<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Hilmar Lumber	30" 100# PIP PVC	\$203,606.30
GCU Trucking, Inc.	Haul Dirt	26,989.00
CalPERS	Retirement Contribution	26,618.62
Dennis Wing Trucking	Haul Dirt	25,676.50
George Reed	Crushed ¾" x ½"	8,940.38
ACWA-JPIA	Dental/Vision Insurance-December	8,070.99
White Cap Construction Supply	Extension Ladders, Hammers, Buckets	3,182.04
W.H. Breshears	Fuel	2,790.62
Don Pedro Pump Inc.	ID 46 – Replace new 30 HP VFD	2,628.03
Spray & Sons Janitorial	Monthly Janitorial Services-October	2,535.00

FISCAL IMPACT: \$344,772.08

ATTACHMENTS:

- Statement of Obligations – Accounts Payable

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

OAKDALE IRRIGATION DISTRICT

**STATEMENT
OF
OBLIGATIONS**

November 16, 2016

Accounts Payable
Check Register -November 16, 2016



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
20137	11/1/2016	AT&T Mobility	\$51.97	GPS Device
20138	11/1/2016	AT&T	\$81.93	Phone Charges 10/25/16 - 11/24/16
20139	11/1/2016	Ellis Self Storage, Inc.	\$75.00	Storage - November
20140	11/1/2016	GCU Trucking, Inc.	\$21,033.00	Haul Dirt
20141	11/1/2016	Herc Rentals Inc.	\$167.59	Trailer Cargo
20142	11/1/2016	Moore Quality Galvanizing L.P.	\$2,009.83	Pipes, Trash Racks, Embedded Angle Frame, Rebar Ladder
20143	11/7/2016	California State Disbursement Unit	\$207.69	Levy
20144	11/7/2016	California State Disbursement Unit	\$194.30	Levy
20145	11/7/2016	Franchise Tax Board	\$764.80	Levy
20146	11/7/2016	Stanislaus County Sheriff's Department	\$100.00	Levy
20147	11/16/2016	Ace Hardware	\$174.90	Linseed Oil, Keys, Oil, Chain Oil
20148	11/16/2016	ACWA-JPIA	\$8,070.99	Dental/Vision Insurance - December
20149	11/16/2016	Andersen, Jason	\$71.99	Steel Toe Boot Reimbursement
20150	11/16/2016	Battery Systems	\$495.77	Batteries - #52, #61
20151	11/16/2016	Boutin Jones, Inc.	\$1,038.00	Attorney Fees
20152	11/16/2016	Brink, Eric	\$157.01	Refund - APN: 062-006-004
20153	11/16/2016	California Public Employees' Retirement System	\$26,618.62	Retirement Contribution
20154	11/16/2016	Casey Moving Systems Records Management	\$96.00	Shredding-October
20155	11/16/2016	Chicago Title	\$23.00	Refund - APN: 064-007-011
20156	11/16/2016	City of Oakdale - Utilities	\$401.20	Water/Sewer 9/16/16-10/15/16
20157	11/16/2016	Coffee Break Service, Inc.	\$159.50	Coffee Service
20158	11/16/2016	Comcast Business	\$319.98	November Charges
20159	11/16/2016	Core Logic, Inc.	\$261.00	Real Quest - October
20160	11/16/2016	County of San Joaquin, Dept. of Public Works	\$90.00	2017 Transportation Permit
20161	11/16/2016	Denair Lumber Company, Inc.	\$2,326.55	2x12x24/20x16 DF #1 Rough
20162	11/16/2016	Dennis Wing Trucking	\$25,676.50	Haul Dirt
20163	11/16/2016	Devnalysis	\$60.00	Hosting - oidwaterresourcesplan.org , savethestan.org
20164	11/16/2016	Don Pedro Pump, Inc.	\$2,628.03	ID 46 - Install and Replace w/ 30 HP VFD
20165	11/16/2016	Donlee Pump Company	\$521.09	Annual APCD Testing
20166	11/16/2016	Employment Development Department	\$980.00	Unemployment Benefits
20167	11/16/2016	Far West Laboratories, Inc.	\$390.00	Bac-T Tests
20168	11/16/2016	GCU Trucking, Inc.	\$5,956.50	Haul Dirt
20169	11/16/2016	George Reed, Inc.	\$8,940.38	Crushed 3/4" x 1/2"
20170	11/16/2016	GGD Oakdale LLC	\$2,383.94	DSO Office Lease - December
20171	11/16/2016	Giuliani & Kull, Inc.	\$600.00	Fringe Parcel Annexations - WR #048
20172	11/16/2016	Grainger	\$212.15	Attic Fan Thermostat Switch, HOA Selector Switch, Pull Strap
20173	11/16/2016	Grover Landscape Services, Inc.	\$495.00	Monthly Landscape Maintenance - October
20174	11/16/2016	Haidlen Ford	\$235.98	Radiator - #174, #178
20175	11/16/2016	Herc Rentals Inc.	\$2,481.47	Excavator Rental 9/26/16 - 10/24/16
20176	11/16/2016	Hilmar Lumber, Inc.	\$203,606.30	30" 100# PIP PVC, 36" PVC Pipe-20' Sections
20177	11/16/2016	Holt of California, Inc.	\$187.71	Valve Assembly - 12G
20178	11/16/2016	Jorgensen Company	\$1,076.68	SR-X2V, GD Inst. BW Replacement Sensor, Replaces SRX10-CL
20179	11/16/2016	Keyser, Doug & Andrea	\$57.11	Refund Check APN: 010-064-009

Accounts Payable
Check Register -November 16, 2016



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
20180	11/16/2016	Martin & Chapman Co.	\$10.24	Office Supplies
20181	11/16/2016	McMaster-Carr	\$119.98	Thread-Forming Screws for Wood to Metal-Truck 16
20182	11/16/2016	Mission Uniform Service	\$1,436.42	Uniform Service
20183	11/16/2016	Modesto Steel	\$600.65	Aluminum Round Tube, 2" Angles, 2" Pipe, 3" Uncoated Pipe
20184	11/16/2016	Morrill Industries, Inc.	\$1,348.19	15" Flange Adapters, 16" Gaskets and 18" Gaskets
20185	11/16/2016	Motor Parts Distributors, Inc.	\$118.58	EGR Valve - Truck No.06
20186	11/16/2016	O'Laughlin & Paris LLP	\$980.00	Attorney Fees
20187	11/16/2016	Oakdale Auto Parts	\$272.85	Spark plugs, Fuel filters, Switches, Hitch pins, Murphy switch
20188	11/16/2016	Oakdale Automotive Repair & Tire	\$165.00	Tire Disposal, Mount
20189	11/16/2016	Oakdale Leader	\$78.32	Ad
20190	11/16/2016	Oakdale Locksmith	\$32.44	Equipment and Lock Fuel Cap Duplicate Key
20191	11/16/2016	Office Depot	\$197.92	Office Supplies
20192	11/16/2016	P & L Concrete Products, Inc.	\$108.07	6 Sack Concrete
20193	11/16/2016	Pakmail	\$15.83	Shipping Charges
20194	11/16/2016	PAPA	\$180.00	Membership Renewal 2017
20195	11/16/2016	Portola Systems, Inc.	\$1,154.43	HP Color Laser Jet, Hardware Support - 3 years
20196	11/16/2016	Remote Site Products	\$2,021.52	MDS SD40SS Radio Serial
20197	11/16/2016	Resource Building Materials	\$106.42	Redi - Mix
20198	11/16/2016	Rubicon, Inc.	\$1,224.00	Technical Support - WR #001
20199	11/16/2016	Safe-T-Lite of Modesto, Inc.	\$952.60	30" White Wire Flags, Triangular Sling Bandage, Laser w/Tripod
20200	11/16/2016	San Joaquin Farm Bureau Federation	\$400.00	2017 Membership Dues
20201	11/16/2016	Spray & Son Janitorial, Inc.	\$2,535.00	Monthly Janitorial Services - October
20202	11/16/2016	Spraytec	\$183.03	Mid-Tech Cable GPS
20203	11/16/2016	Stanislaus County Dept. of Environmental Resources	\$88.62	Disposal of Batteries
20204	11/16/2016	Stanislaus County Farm Bureau	\$350.00	2017 Membership Dues
20205	11/16/2016	Streamline	\$400.00	Monthly Service Fee - October
20206	11/16/2016	Tom's Smog and Auto Repair	\$63.50	Annual Smog Certification Test-Truck No. 91 and Truck No. 6
20207	11/16/2016	Truck nTow.Com	\$676.35	Golight Kit (2) , Mounting Plate Kit (2)
20208	11/16/2016	Valley Air Conditioning Engineering, Inc.	\$450.00	HVAC Maintenance
20209	11/16/2016	W. H. Breshears, Inc.	\$2,790.62	Fuel
20210	11/16/2016	Wenger, James	\$1,050.00	Storm Software Customization Support - WR #003
20211	11/16/2016	White Cap Construction Supply	\$3,182.04	16' Extension Ladders, 12 Qt Rubber Buckets, Framing Hammers
			<u>\$344,772.08</u>	

OAKDALE IRRIGATION DISTRICT
STATEMENT OF OBLIGATIONS
November 16, 2016

THE FOREGOING CLAIMS, NUMBERED 20137 Through 20211 INCLUSIVE
ARE APPLIED TO THE GENERAL FUND OF OAKDALE IRRIGATION DISTRICT
AND ARE OBLIGATIONS AUTHORIZED THERETO.

_____	_____
_____	_____

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 4
APN: N/A

SUBJECT: APPROVE ASSIGNMENT OF CAPITAL WORK ORDER NUMBERS

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

<u>Facility</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Work Order No.</u>
<u>Revised</u>			
Adams Lateral No. 2	Remove and install 1,300' 15" 100 PSI PIP PVC, 1-Krohne Enviromag 2000 flow meter, 1-15" Line gate, and other appurtenances. Original approval amount \$86,600. (APNs: 010-039-029/033/043/044)	\$84,500	2016-041
<u>New</u>			
Burnett Lateral	Install 1-16" Krohne Enviromag, 2-15" flanged Bolt-on couplers, 20' of 15" 100 PSI PIP PVC, 1-air vent assembly, and 2-concrete connection Collars. (APN: 002-051-010)	26,200	2016-052
Stone Pipeline	Replace approx. 1,200 LF of 18" 100 PSI PIP PVC, 1-18" line gate, 3-4" Fresno series 3000 vacuum relief valves, 1-18" starter coupler, 1-12" line gate, and 1-air vent assembly. (APN: 010-006-025/026)	68,900	2016-054
West Thalheim	Remove and install 2,700' 36" 100 PSI PIP PVC, 5-Krohne Enviromag 2000 flow meters, 7-18" line gates, 1-15" line gate, 1-24" x 13' Fresno 101C slide gate, 1-36" x 12.5' Fresno 101C slide gate and misc. appurtenances.	563,900	2016-053

FISCAL IMPACT: \$743,500

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 5
APN: N/A

SUBJECT: APPROVE ANNUAL RENEWAL OF SECTION 125 PLAN WITH REDWOOD HEALTH SERVICES EFFECTIVE JANUARY 1, 2017

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The District's Section 125 Plan and Cobra Administration are approaching its January 1, 2017 annual renewal. This plan allows an employee to contribute pre-tax dollars to an account that is used to reimburse the employee up to \$2,600 for out-of-pocket medical/dental/vision expenses for the employee and their dependents; and up to \$2,500 for dependent care costs.

Employee open enrollment will be conducted December 1, 2016 – December 30, 2016.

FISCAL IMPACT: Estimated annual expense: \$2,100 (no increase)

ATTACHMENTS:

- FSA Eligible Expenses
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

Flexible Spending Account (FSA) Eligible Expenses

Healthcare FSA Eligible Expenses *For a complete list visit www.irs.gov*

- Abdominal Supports
- Abortion
- Acupuncture
- Air conditioner (when necessary for relief from difficulty in breathing)
- Alcoholism treatment
- Ambulance
- Anesthetist
- Arch supports
- Artificial limbs
- Autoette (when used for relief of sickness/disability)
- Birth Control Pills (by prescription)
- Blood tests
- Blood transfusions
- Braces
- Cardiographs
- Chiropractor
- Christian Science Practitioner
- Contact Lenses
- Contraceptive devices (by prescription)
- Convalescent home (for medical treatment only)
- Crutches
- Dental Treatment
- Dental X-rays
- Dentures
- Dermatologist
- Diagnostic fees
- Diathermy
- Drug addiction therapy
- Drugs (prescription)
- Elastic hosiery (prescription)
- Eyeglasses
- Fees paid to health institute prescribed by a doctor
- FICA and FUTA tax paid for medical care service
- Fluoridation unit
- Guide dog
- Gum treatment
- Gynecologist
- Healing services
- Hearing aids and batteries
- Hospital bills
- Hydrotherapy
- Insulin treatment
- Lab tests
- Lead paint removal
- Medical legal fees
- Lodging (away from home for outpatient care)
- Metabolism tests
- Neurologist
- Nursing (including board and meals)
- Obstetrician
- Operating room costs
- Ophthalmologist
- Optician
- Optometrist
- Oral surgery
- Organ transplant (including donor's expenses)
- Orthopedic shoes
- Orthopedist
- Osteopath
- Over the counter drug w/prescription
- Oxygen and oxygen equipment
- Pediatrician
- Physician
- Physiotherapist
- Podiatrist
- Postnatal treatments
- Practical nurse for medical services
- Prenatal care
- Prescription medicines
- Psychiatrist
- Psychoanalyst
- Psychologist
- Psychotherapy
- Radium Therapy
- Registered nurse
- Special school costs for the handicapped
- Spinal Fluid test
- Splints
- Sterilization
- Surgeon
- Telephone or TV equipment to assist the hard-of-hearing
- Therapy equipment
- Transportation expenses (relative to health care)
- Ultra-violet ray treatment
- Vaccines
- Vasectomy
- Vitamins (if prescribed)
- Wheelchair
- X-rays

Dependent Care FSA Eligible Expenses:

- Household services (including a maid or cook) provided they are directly related to the care of the "qualified dependent"
- Actual physical care of the "qualified dependent"
- Nursing home for an invalid parent, for day care only
- A dependent care center that complies with all applicable laws and regulations
- In home dependent childcare that complies with all applicable laws and regulations

Important Note:

As of January 1, 2011 OTC medications and drugs without a doctor's prescription are not reimbursable through the health-care FSA. The prescription requirement only applies to OTC items that contain a medicine or drug (i.e., cold medicines, aspirins, acid controllers, allergy and sinus drugs, etc.)



Redwood Health Services

3510 Unocal Place, Ste. 108
Santa Rosa, CA 95403

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 6
APN: N/A

SUBJECT: APPROVE WORK RELEASE NO. 025 TO GENERAL SERVICES AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR CUTTING, BENDING, AND PLACEMENT OF REBAR FOR ONE (1) EA. STANDARD CONTROL STRUCTURE LOCATED ON THE WEST THALHEIM PIPELINE

RECOMMENDED ACTION: Authorize General Manager to Execute Work Release No. 025

BACKGROUND AND/OR HISTORY:

Northern Steel, Inc. will furnish all necessary labor, tools, equipment, transportation, and materials for the cutting, bending and placement of rebar for one (1) ea. Standard Control Structure located on the West Thalheim Pipeline. The Work will be performed on a lump sum basis and completed by March 1, 2017.

Staff recommends that the Board authorize the General Manager to execute the Work Release No. 025 for General Services Agreement 2013-GSA-032 for the furnishing, cutting, bending, and placement of rebar. For the inclusions and exclusions see the attached Exhibit "A" for details.

FISCAL IMPACT: \$2,865.00

ATTACHMENTS:

- Work Release No. 025
- Exhibit A

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:



Work Release No. 025

Supply Rebar and Tie in Place for One (1) ea. Standard Control Structure on the West Thalheim Pipeline – OID #2016-053

Scope of Work

Furnish all necessary labor, tools, equipment, transportation, and materials for the supply, cutting, bending, and tying in place of rebar for one (1) ea. standard control structure located on the West Thalheim Pipeline. The price will include two field trips per drop structure to complete the Scope of Work. The Work will be performed for a Lump Sum amount based on the drawings previously provided to Northern Steel, Inc.

Lump Sum Amount: \$ 2,865.00

See Exhibit "A" for terms, disclaimers, inclusions and exclusions.

Schedule

The Schedule will be for the Work to be performed and completed before March 1, 2017. The OID contact will be Mr. Jason Jones, Support Services Manager who will coordinate the work. Mr. Jones can be contacted at his office, the telephone number is (209) 840-5535, or at his cell phone number (209) 495-3672.

Terms and Conditions

All Terms and Conditions identified in **General Services Agreement 2013-GSA-032** will remain in effect for Work Release No. 025.

All work over \$1,000.00 will be at prevailing wage rates.

Oakdale Irrigation District

By: _____

Name: Steve Knell, P.E.

Title: General Manager

Date: _____

Northern Steel, Inc.

By: _____

Name: Michael Jackson

Title: CFO

Date: _____



NSI
NORTHERN STEEL, INC.

Exhibit "A"

1636 Culpepper Ave.
Modesto, CA 95351
p 209-527-7934
f 209-527-8765
northernsteel@gmail.com

Date: 11/2/2016
Customer: Oakdale Irrigation District
1205 East "F" Street
Oakdale, CA 95361
Notes: W. Thalheim

Material Estimate

Description	Total	
Tied in place 1, 11' x 6'-4" outside x 12' tall Box Max 2 Trips	2,865.00	
TERMS: This estimate is good for 30 days. All prices are FOB our yard unless otherwise specified. To accept this estimate and begin fabrication please sign here and fax it back to us. Please note that our terms of sale are NET 30. All accounts are due on the 10th of the month following issuance of their monthly statement. Past due accounts will be charged a finance charge at a periodic rate of 1.5% per month, which is an annual percentage rate of 18%. Fabrication of our work will not begin until this form has been faxed back to us with an authorizing signature.	Subtotal	\$2,865.00
	Sales Tax (8.125%)	\$0.00
	Total	\$2,865.00
Authorized By: _____ PO Number: _____ Signature Date		

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 7
APN: N/A

SUBJECT: APPROVE WORK RELEASE NO. 026 TO GENERAL SERVICES AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR CUTTING, BENDING, AND PLACEMENT OF REBAR FOR TWO (2) EA. BRIDGE FOOTING ABUTMENTS AND FOUR (4) EA. WING WALLS LOCATED ON THE NORTH MAIN CANAL – FIELDS RANCH

RECOMMENDED ACTION: Authorize General Manager to Execute Work Release No. 026

BACKGROUND AND/OR HISTORY:

Northern Steel, Inc. will furnish all necessary labor, tools, equipment, transportation, and materials for the cutting, bending and placement of rebar for two (2) ea. bridge footing abutments and four (4) ea. wing walls located on the North Main Canal. The Work will be performed on a lump sum basis and completed by March 1, 2017. This work is being conducted as part of the OID/Fields Ranch Agreement on the North Main Canal.

Staff recommends that the Board authorize the General Manager to execute the Work Release No. 026 for General Services Agreement 2013-GSA-032 for the furnishing, cutting, bending, and placement of rebar. For the inclusions and exclusions see the attached Exhibit "A" for details.

FISCAL IMPACT: \$12,800.00

ATTACHMENTS:

- Work Release No. 026
- Exhibit A

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:



Work Release No. 026

Supply Rebar and Tie in Place for Two (2) ea. Bridge Footing Abutments and Four (4) ea. Wing Walls on the North Main Canal – OID #2016-042

Scope of Work

Furnish all necessary labor, tools, equipment, transportation, and materials for the supply, cutting, bending, and tying in place of rebar for two (2) ea. bridge footing abutments and four (4) ea. wing walls located on the North Main Canal – Fields Ranch. The price will include two field trips to complete the Scope of Work. The Work will be performed for a Lump Sum amount based on the drawings previously provided to Northern Steel, Inc.

Lump Sum Amount: \$ 12,800.00

See Exhibit "A" for terms, disclaimers, inclusions and exclusions.

Schedule

The Schedule will be for the Work to be performed and completed before March 1, 2017. The OID contact will be Mr. Jason Jones, Support Services Manager who will coordinate the work. Mr. Jones can be contacted at his office, the telephone number is (209) 840-5535, or at his cell phone number (209) 495-3672.

Terms and Conditions

All Terms and Conditions identified in **General Services Agreement 2013-GSA-032** will remain in effect for Work Release No. 026.

All work over \$1,000.00 will be at prevailing wage rates.

Oakdale Irrigation District

By: _____

Name: Steve Knell, P.E.

Title: General Manager

Date: _____

Northern Steel, Inc.

By: _____

Name: Michael Jackson

Title: CFO

Date: _____



NSI
NORTHERN STEEL, INC.

Exhibit "A"

1636 Culpepper Ave.
Modesto, CA 95351
p 209-527-7934
f 209-527-8765
northernsteel@gmail.com

Date: 11/4/2016
Customer: Oakdale Irrigation District
1205 East "F" Street
Oakdale, CA 95361
Notes: Bridge Abutments

Material Estimate

Description		Total
Tied in place for 2 Abutments and 4 Wing Walls Based on 2 trips		12,800.00
TERMS: This estimate is good for 30 days. All prices are FOB our yard unless otherwise specified. To accept this estimate and begin fabrication please sign here and fax it back to us. Please note that our terms of sale are NET 30. All accounts are due on the 10th of the month following issuance of their monthly statement. Past due accounts will be charged a finance charge at a periodic rate of 1.5% per month, which is an annual percentage rate of 18%. Fabrication of our work will not begin until this form has been faxed back to us with an authorizing signature.	Subtotal	\$12,800.00
	Sales Tax (8.125%)	\$0.00
	Total	\$12,800.00
Authorized By: _____ PO Number: _____		
Signature		Date

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 8
APN: N/A

SUBJECT: APPROVE WORK RELEASE NO. 027 TO GENERAL SERVICES AGREEMENT 2013-GSA-032 WITH NORTHERN STEEL, INC. FOR CUTTING, BENDING, AND PLACEMENT OF REBAR FOR ONE (1) EA. STANDARD DROP STRUCTURE LOCATED ON THE ALBERS/STOWELL LATERAL

RECOMMENDED ACTION: Authorize General Manager to Execute Work Release No. 027

BACKGROUND AND/OR HISTORY:

Northern Steel, Inc. will furnish all necessary labor, tools, equipment, transportation, and materials for the cutting, bending and placement of rebar for one (1) ea. standard drop structure located on the Albers Lateral at the Stowell Headgate. The Work will be performed on a lump sum basis and completed by March 1, 2017.

Staff recommends that the Board authorize the General Manager to execute the Work Release No. 027 for General Services Agreement 2013-GSA-032 for the furnishing, cutting, bending, and placement of rebar. For the inclusions and exclusions see the attached Exhibit "A" for details.

FISCAL IMPACT: \$9,895.00

ATTACHMENTS:

- Work Release No. 027
- Exhibit A

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:



Work Release No. 027

**Supply Rebar and Tie in Place for One (1) ea.
Standard Drop Structure located on the
Albers/Stowell Lateral – OID #2016-047**

Scope of Work

Furnish all necessary labor, tools, equipment, transportation, and materials for the supply, cutting, bending, and tying in place of rebar for one (1) ea. standard drop structure located on the Albers/Stowell Lateral. The price will include two field trips to complete the Scope of Work. The Work will be performed for a Lump Sum amount based on the drawings previously provided to Northern Steel, Inc.

Lump Sum Amount: \$ 9,895.00

See Exhibit "A" for terms, disclaimers, inclusions and exclusions.

Schedule

The Schedule will be for the Work to be performed and completed before March 1, 2017. The OID contact will be Mr. Jason Jones, Support Services Manager who will coordinate the work. Mr. Jones can be contacted at his office, the telephone number is (209) 840-5535, or at his cell phone number (209) 495-3672.

Terms and Conditions

All Terms and Conditions identified in **General Services Agreement 2013-GSA-032** will remain in effect for Work Release No. 027.

All work over \$1,000.00 will be at prevailing wage rates.

Oakdale Irrigation District

Northern Steel, Inc.

By: _____

By: _____

Name: Steve Knell, P.E.

Name: Michael Jackson

Title: General Manager

Title: CFO

Date: _____

Date: _____



Exhibit "A"
NSI
NORTHERN STEEL, INC.

1636 Culpepper Ave.
Modesto, CA 95351
p: 209-527-7934
f: 209-527-8765
northernsteel@gmail.com

Customer: Oakdale Irrigation District
1205 East "F" Street
Oakdale, CA 95361

Date: 11/8/2016

Job Name: Albers Stowell Split Control

Plan Date:

Addenda:

BID PROPOSAL

Material & Labor Price		Total
Rebar tied in place for Albers Stowell Split Control 2 move ins		9,895.00
<p>TERMS: This bid is good for 30 days. Payment terms are 30 days from billing for labor performed and materials consumed or delivered to job site. Past due accounts will be charged a finance charge at a periodic rate of 1.5% per month, which is an annual percentage rate of 18%. No retention is to be held more than 30 days after installation is complete. This page must be included as an addendum to any contract you provide. All applicable taxes are included. We are union signatories.</p> <p>EXCLUSIONS: Unless specified in the description, all of the following are excluded from the cost of this bid: C.J. Dowels, masonry reinforcement, light pole footings, welding, welded bars, pour watchman, rebar guards, labor on existing reinforcement, cost of bonds, liquidated damages, city/ county standards reinforcement, reinforcement not shown on bid plans, testing, inspection, drilling, grouting, misc. iron, engineers allowance, galvanized or epoxy coated rebar, anchor bolt ties, pre-cast reinforcement, threaded rods, inserts, mechanical couplers, and rebar protection. Where other trades' connections go through footing, rebar and labor needed to install will be extra. Unless specified, NO SITE WORK IS INCLUDED.</p> <p>CONTRACTOR PROVIDES: Lines, grades, templates, scaffold, hoisting, lowering, clear access to structures, lay down area within 50' of each structure, safe working environment, layout (including layout of masonry dowels), wooden templates for dowels, field measurements, clear access to excavations (no doubling up of forms; added time will be billed as an extra).</p>		Total \$9,895.00

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 9
APN: 006-001-061

SUBJECT: APPROVE REQUEST FOR NEW IRRIGATION SERVICE TO A SUBSTANDARD PARCEL SERVED BY THE BURNETT LATERAL (APN: 006-001-061 – MARCO A. AND MARIA I. CASILLAS)

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The parcel noted above was disconnected at the previous owner's request in 1974. The parcel is a total of 6.5 acres and, given it is less than ten (10) acres, is considered a substandard parcel according to Oakdale Irrigation District (OID) policy. As such, approval of the new connection is required from the Board of Directors.

Mr. Casillas is requesting to irrigate the parcel by tying into an existing private pipeline on an adjacent parcel that is currently served through an existing delivery point on OID's Burnett Lateral. As it is not anticipated to negatively impact OID operations, Staff recommends approval of the owner's request to irrigate.

FISCAL IMPACT: None. Application fees for staff time processing were collected upon submittal of the request. All costs for establishing the necessary connections will be the responsibility of the landowner.

ATTACHMENTS:

- Parcel Site Map
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

006-001-004

006-003-042

006-001-010

006-001-009

**Burnett
Lateral**

60' 95-17265

B
4-PM-132
006-001-041

2013-16908
Agricultural Discharge
Permit

2013-16907
Enc. Permit
8" Discharge Pipeline

**PROJECT SITE
006-001-061**

B
23-PM-82
006-001-060

006-001-023

Sawyer Avenue

19-PM-60
006-003-025

006-003-023

State Highway 120

006-001-064



OAKDALE IRRIGATION DISTRICT
1205 EAST F STREET
OAKDALE CALIFORNIA 95361

**PROPOSED RECONNECTION
CASILLAS - APN: 006-001-061
BURNETT LATERAL**



DATE: NOV. 3, 2016
DRAWN BY: ECT
CHECKED BY: ECT

PROJECT SITE MAP

**NOT TO SCALE
SHEET 1 of 1**

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 10
APN: 010-039-043

**SUBJECT: APPROVE ENCROACHMENT PERMIT ON THE ADAMS LATERAL NO. 2
(APN: 010-039-043 – KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON 2013
TRUST)**

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The Oakdale Irrigation District (OID) will be replacing approximately one thousand three hundred forty (1,340) linear feet of pipeline as part of the Adams Lateral No. 2 Pipeline Project this 2015/2016 construction season. A portion of this project parallels the southern boundary of the parcel noted above. In order to complete this project, staff will need to remove a portion of an existing six-strand barbed wire fence within OID's fifty (50) foot deeded right-of-way (ROW) adjacent to the parcel noted above and encroaching within OID's ROW. The landowners have applied for an encroachment permit to allow for the replacement of a new six-strand barbed wire fence in the alignment of the existing fence line. Staff has reviewed the proposed fencing replacement and has determined the installation will not negatively impact the operations of OID, and as such, recommends approval of this Encroachment Permit. The landowners have been advised that they will be responsible for any and all removal and replacement costs in the future when the need arises to accommodate operations and maintenance of OID's facility as noted in the Encroachment Permit.

FISCAL IMPACT: A deposit has been collected to cover all District costs.

ATTACHMENTS:

- Encroachment Permit
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

RECORDING REQUESTED BY &
WHEN RECORDED RETURN TO:



OAKDALE IRRIGATION DISTRICT
1205 East F Street
Oakdale, CA 95361

APN: 010-039-043

**ENCROACHMENT PERMIT
ON THE ADAMS LATERAL NO. 2**

THIS ENCROACHMENT PERMIT executed this SIXTEENTH day of NOVEMBER, 2016, by and between OAKDALE IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the State of California, hereinafter referred to as "DISTRICT," and KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON, TRUSTEES OF THE KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON 2013 TRUST DATED JULY 9, 2013, hereinafter referred to as "OWNER" sets forth Permits as follows:

WITNESSETH:

WHEREAS, the Board of Directors of the DISTRICT adopted the request for an Encroachment Permit on November 16, 2016, as shown in the Resolution attached hereto as **Exhibit "A."**

WHEREAS, DISTRICT occupies easements and fee-owned lands for its irrigation and drainage facilities, and

WHEREAS, OWNER'S property described in the attached **Exhibit "B"** (the "Subject Property") is subject to all or a portion of said easements, and

WHEREAS, OWNER has title to the Subject Property and wishes to encroach upon the Adams Lateral No. 2 right-of-way with encroachments as follows:

1. Six-strand barbed wire fencing.

WHEREAS, DISTRICT is willing to permit said encroachments provided the OWNER agrees to the following provisions:

1. Nature of Right Conferred. This Permit is valid only for the purposes specified herein, and neither the Permit, nor use there under shall create an easement, right-of-way, or other interest in real property owned by DISTRICT.

DISTRICT intends hereby to assent only to (a) an encroachment upon an easement or easements held by DISTRICT or (b) to confer a license to OWNER to

encroach upon DISTRICT fee-owned lands, all subject to the terms hereof. Nothing in this Permit constitutes a grant or other disposition of any land or interest in land, which is owned or otherwise occupied by DISTRICT. OWNER acknowledges that the lands upon which the facilities of DISTRICT are located may not be owned by DISTRICT, and further acknowledges that the consent contained in this Permit relates only to the rights of DISTRICT by virtue of an easement or easements upon Subject Property or upon land owned in fee by DISTRICT. It is understood that nothing in this Permit shall be considered as a representation by DISTRICT of the authority to grant any interest in land over, across, or under any property owned or controlled by any person other than DISTRICT and OWNER shall obtain any further grants or consents from all others owning interests in the underlying easement land.

2. Assignments, Sublicenses and Termination. The right to use or maintain the encroachments listed above on the subject DISTRICT facility as authorized herein shall be transferrable to OWNER'S successors or assigns, however, OWNER may not, without the prior written consent of DISTRICT, authorize or permit others to utilize any facilities, structures, easements or right-of-way area which are in any way not expressly authorized by this Permit. Should OWNER wish to terminate this permit, written notice shall first be provided to DISTRICT. Upon approval, DISTRICT may request with 30 days written notice, the removal or relocation of all or portions of OWNER'S encroachments and OWNER shall perform the required work at no cost to DISTRICT. Should OWNER'S encroachments not be removed within the specified time, DISTRICT shall remove the encroachments and bill OWNER for all costs incurred.
3. Operational Access. DISTRICT shall have the right of necessary ingress to and egress from said strip of land at any and all times for people with tools and/or equipment required for the repair, replacement, maintenance and/or operation of that irrigation canal or pipeline system and appurtenant facilities located within DISTRICT right-of-way. OWNER'S encroachment shall not interfere with DISTRICT's operational use of its irrigation and drainage facilities.
4. Indemnity and Release. OWNER shall (i) indemnify and hold harmless and (ii) release DISTRICT, its officers, agents and employees, against and from any and all loss, damage, claims, costs and expenses of whatsoever nature, including court costs and attorney's fees resulting from the exercise of this permit including but not limited to, overflow of water from DISTRICT facilities, property damage, personal injury or, wrongful death from the installation, construction, maintenance, repair, renewal, modification, reconstruction, relocation or removal of the permitted OWNER facilities or any part thereof. OWNER shall promptly repair, at his own cost and under DISTRICT supervision, any damage caused to DISTRICT'S facilities due to work under this permit, to the satisfaction of DISTRICT. Should OWNER neglect to promptly make repairs, DISTRICT may make repairs or have repairs made and OWNER shall pay all costs.
5. Plans and Specifications: Construction. All encroachments and structures constructed under this Permit shall be erected by DISTRICT. Should DISTRICT allow OWNER to construct the encroachments and structures, the work shall be done in accordance with plans and specifications and upon locations approved in

advance by DISTRICT as herein provided and shall be erected in such a manner as not to obstruct in any manner the flow of water in the canals, laterals or drain ditches of DISTRICT or to make more expensive or to interfere in any manner whatsoever with the construction, operation and maintenance of any part of the impacted irrigation and/or drainage works by DISTRICT. Any alterations or changes to the approved plans shall be approved by DISTRICT. **Exhibits "C" and "D"** (IF ATTACHED) indicate approved locations and/or plans of herein described encroachments. **Exhibit "E"** (IF ATTACHED) provides the Insurance and Bonding requirements of DISTRICT, which shall be met by OWNER prior to the start of construction.

Should DISTRICT allow OWNER to construct the encroachments and structures, OWNER shall call DISTRICT'S Engineer at 847-0341 a minimum 48 hours prior to planned construction and shall coordinate all construction activities with DISTRICT'S Water Operations Department. Further, routine inspections by DISTRICT of construction activities such as trenching, backfilling, compaction, concreting, etc., are required. OWNER and/or his contractors shall comply with all applicable laws, regulations and guidelines including OSHA, CAL-OSHA, State of California Department of Industrial Safety and Health Orders, Cal-Trans, and California Health and Welfare.

6. Ordinary Maintenance, Repair or Replacement. OWNER shall maintain and repair said encroachments at his sole cost and expense. Should OWNER neglect to promptly make repairs which impair the integrity and/or serviceability of DISTRICT facilities, DISTRICT may make repairs or have repairs made and OWNER shall pay all costs and expenses. Where necessary, and to the extent required to perform ordinary operation, maintenance, and reconstruction functions, DISTRICT may request, upon 30 days notice, the removal or relocation of portions of OWNER'S encroachments and OWNER shall perform the required work at no cost to DISTRICT.

For emergency purposes OWNER will be required to remove encroachments immediately upon request by DISTRICT. If it should be necessary to repair or replace DISTRICT facilities, DISTRICT is not liable for damages or resultant damages to the permitted encroachments within the DISTRICT'S easement. Further, the repair and replacement of OWNER encroachments following DISTRICT maintenance and reconstruction efforts shall be performed by OWNER and at the expense of OWNER.

THIS PERMIT shall be a covenant binding upon both DISTRICT and OWNER.

IN WITNESS WHEREOF, DISTRICT and OWNER have caused their names to be affixed.

**OAKDALE IRRIGATION DISTRICT
"DISTRICT"**


Steve Webb, President
Board of Directors

Date

Steve Knell, P.E.
General Manager/Secretary

Date

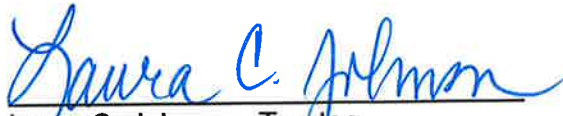
"OWNER"



Kenneth C. Johnson, Jr., Trustee
Kenneth C. Johnson, Jr. and Laura C.
Johnson 2013 Trust



Date



Laura C. Johnson, Trustee
Kenneth C. Johnson, Jr. and Laura C.
Johnson 2013 Trust



Date

Mailing Address: 446 Meyenberg Avenue
Ripon, CA, 95366

SIGNATURES MUST BE NOTARIZED AND BE PER RECORDED DEED

NOTARY

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Stanislaus

On Nov. 4, 2016 before me Carla Lillie, notary public
personally appeared Kenneth C. Johnson Jr.

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

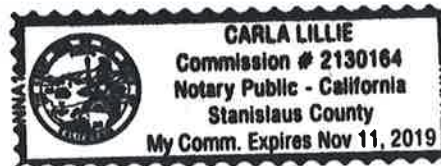
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Carla Lillie

Signature

(Seal)



CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Stanislaus

On Nov. 7, 2016 before me Carla Lillie, notary public
personally appeared Laura C. Johnson

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Carla Lillie

Signature

(Seal)



EXHIBIT "A"
OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-NIL

ENCROACHMENT PERMIT ON THE ADAMS LATERAL NO. 2

APN: 010-039-043

WHEREAS, KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON, TRUSTEES OF THE KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON 2013 TRUST DATED JULY 9, 2013 are the titled owners of the property located in Section 19, Township 2 South, Range 11 East, Mount Diablo Base and Meridian, in the unincorporated area of Stanislaus County, California; and

WHEREAS, KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON, TRUSTEES OF THE KENNETH C. JOHNSON, JR. AND LAURA C. JOHNSON 2013 TRUST DATED JULY 9, 2013 have requested an Encroachment Permit for:

1. Six-strand barbed wire fencing.

WHEREAS, the Encroachment Permit has been signed by the titled owner.

NOW THEREFORE BE IT RESOLVED, that the provisions contained in the Encroachment Permit of the above-identified land have been accepted by the titled owners of said property, is hereby accepted by the District, and that the President be and is hereby authorized and directed to have the same recorded on the records of Stanislaus County, and that said Encroachment Permit in its entirety is incorporated herein by reference to this Resolution.

Upon Motion of Director _____ seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this sixteenth day of November, 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb, President
Board of Directors

Steve Knell, P.E.
General Manager/Secretary

EXHIBIT "B"

LEGAL DESCRIPTION FOR SUBJECT PROPERTY

The land referred to herein below is situated in the unincorporated area in County of Stanislaus, State of California and is described as follows:

Parcel No. 1:

Parcel "D" as shown and designated on that certain Parcel Map filed January 31, 1995 in Book 47 of Parcel Mas, at Page 5, Stanislaus County Records.

Parcel No. 2:

A non-exclusive easement for the purpose of grazing, pasturing, irrigation, general agriculture, and any uses appurtenant thereto, over, across, and through a parcel of land in the State of California, County of Stanislaus lying within the Northwest 1/4 of Section 19, Township 2 South, Range 11 East, Mount Diablo Base and Meridian, said easement also lying within a portion of Lot 50 as shown in Volume 8 of Maps, at Page 44 in the Office of the Stanislaus County Recorder and more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of Wren Road and the northerly boundary of the Adams Number Two Lateral as shown in Volume 47 of Parcel Maps, at Page 5, in the Office of the Stanislaus County Recorder, from which the southwest corner of said Lot 50 bears S.01°31'59"W., 464.98 feet, thence S.88°45'26"E. along the northerly boundary of said Adams Number Two Lateral 529.39 feet, thence S.66°55'26"E., on said lateral 410.78 feet to the westerly boundary of the Ozbirn Pipeline easement as shown on said parcel map; thence leaving said northerly boundary of the Adams Number Two Lateral S.83°10'29"W., 50.00 feet to an existing fence line; thence along said fence line the following seven courses:

1. N.65°16'23"W., 268.51 Feet
2. N.73°47'55"W., 109.83 Feet
3. N.85°48'57"W., 73.85 Feet
4. N.88°18'49"W., 96.71 Feet
5. S.87°39'08"W., 44.84 Feet
6. N.87°08'21"W., 198.04 Feet
7. N.88°46'32"W., 79.80 Feet

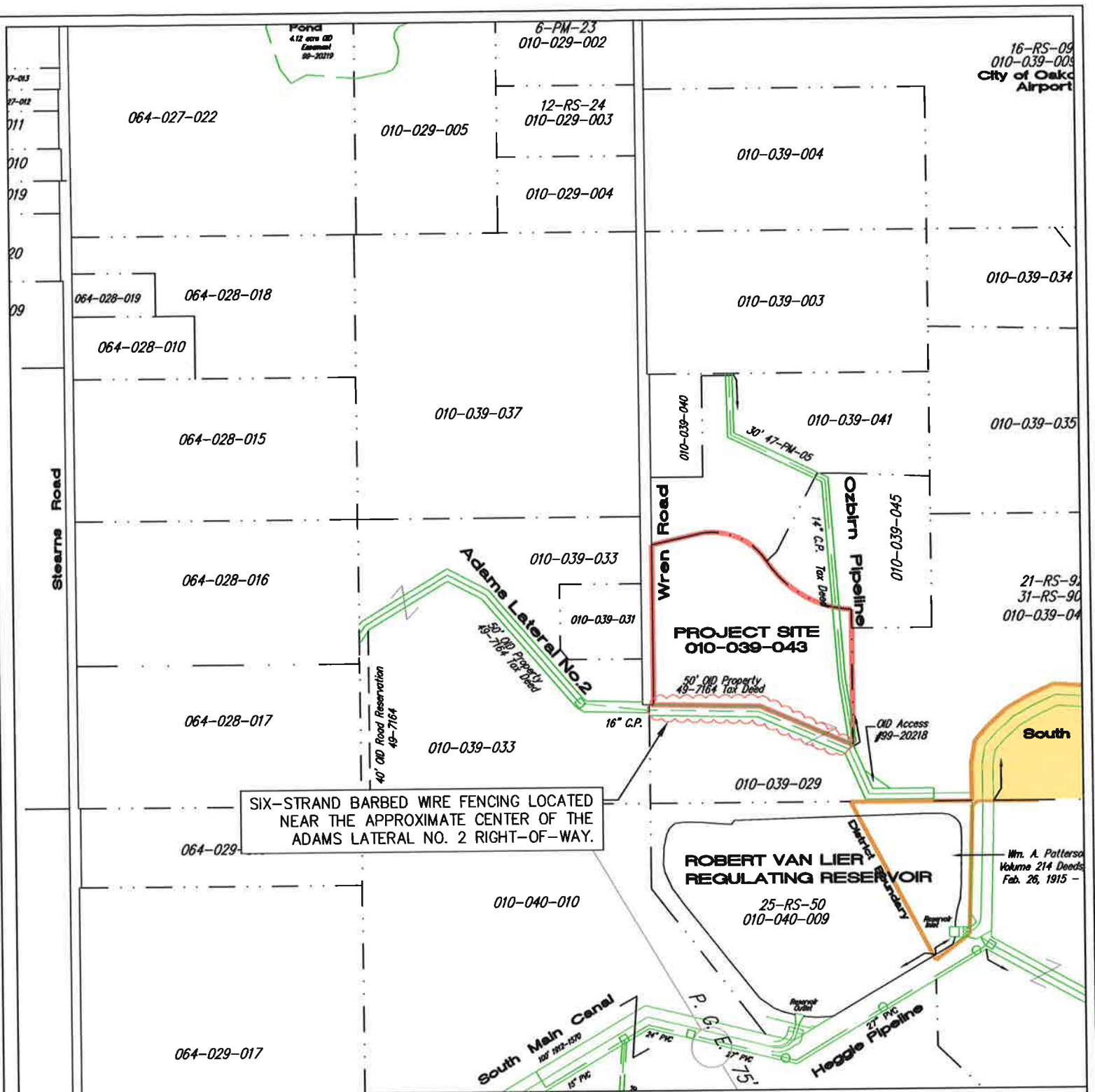
Thence leaving said fence line N.41°30'00"W., 23.35 feet more or less to the point of beginning.

Parcel No. 3:

A non-exclusive easement for ingress and egress to Parcels "D" and "C" over, through and across the Adams Number Two Lateral as shown on said parcel map.

APN: 010-039-043

END OF DESCRIPTION



OID
OAKDALE IRRIGATION DISTRICT



OAKDALE IRRIGATION DISTRICT
1205 EAST F STREET
OAKDALE CALIFORNIA 95361

PROJECT SITE MAP
ENCROACHMENT PERMIT
APN: 010-039-043



DATE: NOV. 2, 2016
DRAWN BY: CMK
CHECKED BY: ECT

EXHIBIT "C"

NOT TO SCALE
SHEET 1 of 1

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 11
APN: 062-027-004

**SUBJECT: APPROVE AGRICULTURAL DISCHARGE PERMIT ON THE MOOTZ LATERAL
(APN: 062-027-004 – COELHO FARMING, LLC)**

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The Oakdale Irrigation District (OID) Mootz Lateral crosses through the parcel noted above. As part of a landuse conversion project, a pump and filter station will be installed on the property. The landowner wishes to discharge the filter station backflush water into the Mootz Lateral via a 4" sch. 40 PVC pipeline. If this permit is approved, an Encroachment Permit for the private 4" sch. 40 PVC backflush pipeline will be presented for the Board's consideration. OID staff has reviewed this project and recommends approval of this Agricultural Discharge Permit.

FISCAL IMPACT: A fee has been collected to cover all District costs.

ATTACHMENTS:

➤ Agricultural Discharge Permit

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

RECORDING REQUESTED BY &
WHEN RECORDED RETURN TO:



OAKDALE IRRIGATION DISTRICT
1205 East F Street
Oakdale, CA 95361

APN: 062-027-004

**AGRICULTURAL DISCHARGE PERMIT
ON THE MOOTZ LATERAL**

THIS AGRICULTURAL DISCHARGE PERMIT executed this SIXTEENTH day of NOVEMBER, 2016 by and between OAKDALE IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the State of California, hereinafter referred to as "DISTRICT," and COELHO FARMING, LLC, hereinafter referred to as "OWNER" sets forth permits as follows:

WITNESSETH:

WHEREAS, the Board of Directors of the DISTRICT adopted the request for an Agricultural Discharge Permit on November 16, 2016, as shown in the Resolution attached hereto as **Exhibit "A."**

WHEREAS, DISTRICT occupies easements, rights of way and fee-owned lands for its irrigation and drainage facilities, hereinafter referred to as "CONDUITS".

WHEREAS, OWNER'S property described in the attached **Exhibit "B"** (the "Subject Property") is subject to all or a portion of said easements, rights of way and fee-owned lands, and

WHEREAS, OWNER has title to the Subject Property and requests that DISTRICT grant permission to release said Agricultural Discharge as needed, subject to the terms and conditions of this AGRICULTURAL DISCHARGE PERMIT, from one (1) 4" sch. 40 PVC private agricultural filter station backflush pipeline.

WHEREAS, DISTRICT is willing to permit said Agricultural Discharge provided the OWNER agrees to the following provisions:

I. **Definitions**

- A. "CONDUITS" shall mean the water collection system consisting of canals, laterals, ditches, flumes, pipelines and appurtenant facilities for the transportation, control and collection of irrigation water that DISTRICT owns, maintains and operates.
- B. "Discharge" shall be defined as agricultural and storm drainage from OWNER'S property.
- C. "Emergency Circumstances" shall mean a situation when it is necessary to act to prevent imminent and substantial harm to persons or damage to property.
- D. "Hazardous Materials" shall mean any flammable, explosive or radioactive material; any toxic substance, hazardous waste or substance, as those terms may now, or may in the future, be defined by any applicable federal, state or local agency.

II. **Flow**

Subject to full compliance with the following conditions and limitations, OWNER may pump and/or allow the Discharge to flow into the MOOTZ LATERAL at a point located in the southeastern quarter of Section 32, Township 2 South, Range 10 East, M.D.B.&M.

- 1. Except as provided in this Permit, OWNER may not release Discharge into any CONDUITS other than the above described District facility.
- 2. OWNER shall reduce or cease said rate of flow upon request of DISTRICT at any time that DISTRICT encounters Emergency Circumstances and perceives a risk that said flow may exceed the capacity of said District Facility.
- 3. The right of DISTRICT to control OWNER Discharge in Emergency Circumstances does not impose a duty of DISTRICT to regulate such flow.
- 4. Construction, installation, reconstruction, modification, and repair of the Discharge lines and appurtenances shall be performed under the supervision of DISTRICT and in accordance with applicable DISTRICT Standards and Specifications, at OWNER's sole expense.

III. **Water Quality**

- 1. OWNER shall not release any Discharge into any CONDUITS that would cause DISTRICT to fail to meet water quality standards that are now or may be imposed upon DISTRICT'S CONDUITS by any federal, state, regional, or local regulatory agency; or would cause DISTRICT to fail to meet water quality standards hereafter established by DISTRICT'S Board of Directors

and applied on a DISTRICT-wide level, and adopted by DISTRICT Resolution after a public notice and meeting.

2. If the Discharge released by OWNER into the CONDUITS causes or threatens to cause significant degradation of the quality of water in the CONDUITS or downstream, the DISTRICT may require that OWNER immediately suspend making any such discharge, and such discharge shall be resumed only after such condition has been resolved to the satisfaction of DISTRICT or interested regulatory agency. Should any court or regulatory agency order, by way of a final nonappealable order, that the release of OWNER Discharge be restricted or be treated before being released into the CONDUITS, DISTRICT shall have the right to unilaterally amend this Permit to require OWNER to conform to such order at OWNER's sole expense.
3. OWNER shall not discharge any Hazardous Material into the CONDUITS. OWNER shall immediately notify DISTRICT and immediately remediate any release or spill of a Hazardous Material into the CONDUITS at OWNER's sole expense, to the satisfaction of DISTRICT and any interested regulatory agency.
4. OWNER shall be responsible for the quality of the Discharge released into the CONDUITS and shall insure that all Discharge so released complies with all applicable federal, state, regional, and local laws, rules and regulations. Any damage to persons, the environment, surface water, or groundwater that results solely from the discharge by OWNER that does not comply with the requirements of this Permit shall be solely the responsibility of OWNER.
5. OWNER warrants that said chemical injection shall occur downstream of filtration device and that appropriate backflow prevention has been installed as shown in **Exhibits "C" and "D"** (IF ATTACHED).
6. Execution of this DISCHARGE PERMIT shall not release OWNER from being in full compliance with all applicable laws, regulations and guidelines including OSHA, CAL-OSHA, State of California Department of Industrial Safety and Health Orders, Cal-Trans, and California Health and Welfare Codes.
7. OWNER shall be a member in good standing of an applicable Water Quality Coalition in accordance with requirements set forth in the Long Term Irrigated Lands Regulatory Program and shall submit to DISTRICT written verification demonstrating such upon request.

IV. **Monitoring**

1. OWNER shall furnish DISTRICT, without cost, copies of any and all analyses or recorded water quality testing of the Discharge to be discharged pursuant to this Permit upon request.

2. DISTRICT shall have the right, but not the obligation, after reasonable prior notice to OWNER, to enter upon the property of OWNER for the purpose of obtaining samples of the Discharge being released to the CONDUITS.

V. **Warranties**

1. DISTRICT does not warrant that DISTRICT owns all the lands upon which the CONDUITS are located in fee title. DISTRICT does not warrant that DISTRICT has the authority to grant access to OWNER across any property not owned in fee title by DISTRICT. DISTRICT shall promptly notify OWNER of any issues regarding property use or access relating to this Permit.
2. DISTRICT does not warrant that the alignment and condition of any CONDUITS will not change. DISTRICT, in its sole discretion, may decide to move, pipe, underground, realign or reconstruct any CONDUITS. OWNER shall bear all direct and indirect costs or expenses of relocating OWNER'S outfall and outlet works in such event.

VI. **Maintenance and Operations**

1. DISTRICT may require that OWNER cease any and all discharge into said facility when DISTRICT deems it necessary to perform ordinary maintenance and reconstruction work until such time as DISTRICT informs OWNER that such work is completed.
2. Except in Emergency Circumstances, DISTRICT shall provide OWNER advance notice of any ordinary maintenance and reconstruction work that will require OWNER to cease any and all discharge into said facility.
3. The maintenance, operation and repair of any facility constructed or owned by OWNER for the purpose of releasing Discharge into the CONDUITS pursuant to this Permit shall be the responsibility of OWNER. OWNER shall provide DISTRICT five (5) days advance notice of any construction or maintenance of such facilities. DISTRICT may require OWNER to repair or replace such facilities if they constitute an unreasonable danger to any person or property or unreasonably interfere with DISTRICT use of the CONDUITS. Failure to maintain such facilities in a safe and useable condition shall be grounds for immediate termination of this Permit and removal of such facilities at OWNER's sole expense. DISTRICT shall in no way be obligated to move, repair, and/or replace such works of OWNER in the event of a realignment, reconstruction, or piping of the CONDUITS.

VII. **Use of CONDUITS**

1. OWNER'S rights granted by this Permit are subject and subordinate to all uses and purposes DISTRICT may make of the CONDUITS or of any other facilities or property of DISTRICT. Any use made by OWNER of the CONDUITS pursuant to this Permit shall not limit, impair, hinder, or obstruct any authorized use by DISTRICT of said CONDUITS. OWNER use of the

CONDUITS is subject to all leases, easements, licenses, restrictions and conditions, covenants, encumbrances, liens, and claims of title that may affect the CONDUITS.

2. DISTRICT, in Emergency Circumstances, may require OWNER to reduce or terminate said Discharge to a rate established by DISTRICT, if the release of Discharge by OWNER pursuant to this Permit is determined by DISTRICT to substantially interfere with DISTRICT use of the CONDUITS.
3. This Permit only creates the ability of OWNER to use the CONDUITS for a limited purpose and under limited conditions. It does not create any equitable interest in the CONDUITS, or an easement, nor does it convey to OWNER any right, title or interest in or to any property or facility of DISTRICT. OWNER shall make no other use of the CONDUITS other than as expressly provided in this Permit.
4. Except as already exists, or as herein expressly permitted, OWNER shall not place or permit to be placed on, in, across or through the CONDUITS easements or rights of way, any object or structures, nor do or permit to be done anything which may interfere with the full and exclusive enjoyment by DISTRICT of its CONDUITS, easements and rights of way.
5. Upon termination of this Permit, for any cause, DISTRICT may prevent further Discharge from flowing into the CONDUITS either by requiring that OWNER close any positive points of shutoff of OWNER'S or by requiring OWNER to physically remove or seal off OWNER facilities where they enter the CONDUITS and/or the DISTRICT'S easements and rights of way. OWNER shall restore the property of DISTRICT to a condition reasonably acceptable to DISTRICT upon removal of OWNER facilities.

VIII. Defense, Indemnification, Liability and Damages

1. OWNER shall defend and indemnify DISTRICT, its Directors, officers, employees and agents, for all costs, damages, penalties and fees of any kind from claims, complaints or causes of action for illness, death, personal injury, property or environmental claims, including attorneys fees incurred in a judicial or administrative proceeding, where such claim, complaint or cause of action arises solely out of the release of OWNER Discharge into the CONDUITS by OWNER. This obligation shall survive the termination of this Permit.
2. Should the DISTRICT'S CONDUITS or the natural drainage streams, channels or rivers, or the drains and channels of others, into which the CONDUITS flows, be, for any reason beyond their reasonable control, incapable of handling the agricultural discharge flows produced and generated by OWNER through no fault of DISTRICT, then DISTRICT shall incur no liability to OWNER.

3. Should the DISTRICT require cessation of OWNER Discharge due to Emergency Circumstances beyond the control of DISTRICT, then DISTRICT shall incur no liability to OWNER.
4. Should it become necessary to reduce or terminate OWNER's discharge into the CONDUITS due to any regulatory, administrative or court action, then DISTRICT shall incur no liability to OWNER.

IX. **Termination**

1. Subject to DISTRICT'S right to suspend release of agricultural discharge under Paragraph 4 of Article III, above, if after thirty (30) days written notice by DISTRICT to OWNER of a release of Discharge into the CONDUITS which is contrary to the terms and conditions identified or referred to in Section III, and if such condition which caused such release has not been substantially corrected by OWNER, then DISTRICT, after a public hearing noticed by agenda with specific prior notice being given to OWNER, shall be free to terminate this Permit. Should DISTRICT terminate this Permit pursuant to this paragraph, OWNER shall continue to defend and indemnify DISTRICT in accordance with Section VIII herein with regard to liability or causes of action resulting from the performance of this Permit.
2. For any other breach of this Permit not covered in Sections II and III, DISTRICT and OWNER shall give thirty (30) days written notice to the other of any breach and provide the other with the ability to cure the breach. If such breach is not cured within such thirty (30) day period, the non-breaching party may terminate this Permit.
3. Upon termination of this Permit by either party, OWNER shall be responsible for removing all of its facilities that are within the property, easements or rights of way of DISTRICT and used to release Discharge into the CONDUITS. If OWNER does not remove these facilities promptly, then DISTRICT shall remove the facilities and OWNER shall reimburse DISTRICT for all costs incurred.

X. **Assignment**

1. The right to discharge as authorized herein shall be transferrable to OWNER'S successors or assigns, however, OWNER may not, without the prior written consent of DISTRICT, authorize or permit others to utilize any facilities, structures, easements or right-of-way areas which are in any way not expressly authorized by this Permit. Should OWNER wish to terminate this permit, written notice shall first be provided to DISTRICT. Upon approval, DISTRICT may request with 30 days written notice, the removal or relocation of all or portions of OWNER'S discharge encroachments and OWNER shall perform the required work at no cost to DISTRICT. Should OWNER'S discharge encroachments not be removed within the specified time, DISTRICT shall remove said encroachments and bill OWNER for all costs incurred.

XI. Miscellaneous Provisions

1. This Permit fully incorporates the permits and understandings of OWNER with DISTRICT with respect to the subject matter hereof and all prior negotiations, drafts, permits (including the Interim Permit) and other communications between OWNER and DISTRICT are superseded by this Permit. The parties have read and fully understand the terms of this Permit and have had the opportunity to be advised by an attorney with respect to this Permit. No alteration or amendment to this Permit shall be effective unless given in writing and signed by the parties sought to be charged or bound by the alteration or amendment.
2. This Permit has been negotiated and executed in the State of California. If there is a lawsuit, OWNER agrees to submit to the jurisdiction of the courts of the County in which this Permit is recorded. This Permit shall be governed by and construed in accordance with the laws of the State of California.
3. The words "OWNER" and "DISTRICT" include the successors, assigns, and transferees of each of them. Caption headings in this Permit are for convenience purposes only and are not to be used to interpret or define the provisions of this Permit. This Permit is the product of negotiation of the parties and the rule of Civil Code, Section 1654 regarding uncertainties caused by a party shall not apply. If a court of competent jurisdiction finds any provision of this Permit to be invalid or unenforceable as to any person or circumstance, such finding shall not render that provision invalid or unenforceable as to any other persons or circumstances and all provisions of the Permit in all other respects shall remain valid and enforceable. It is not necessary for either party to inquire into the powers of the other or of the officers, directors, partners, or agents acting or purporting to act on its behalf.
4. The parties shall not be deemed to have waived any rights under this Permit unless such waiver is given in writing and signed by the party being charged with waiver. No delay or omission on the part of the parties in exercising any rights shall operate as a waiver of such right or any other right. A waiver by a party of a provision of the Permit shall not prejudice or constitute a waiver of the party's right otherwise to demand strict compliance with that provision or any other provision of this Permit. No prior waiver by party, nor any course of dealing between the parties, shall constitute a waiver of any of a party's rights or of any of a party's obligations as to any future transactions. Whenever the consent of a party is required under this Permit, the granting of such consent by that party in any instance shall not constitute continuing consent.

THIS PERMIT shall be a covenant binding upon both DISTRICT and OWNER.

IN WITNESS WHEREOF, DISTRICT and OWNER have caused their names to be affixed.

OAKDALE IRRIGATION DISTRICT - "DISTRICT"

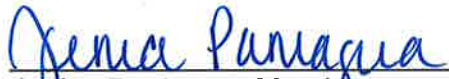
Steve Webb, President
Board of Directors

Date

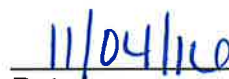
Steve Knell, P.E.
General Manager/Secretary

Date

"OWNER"



Jenice Paniagua, Member
Coelho Farming, LLC



Date

Mailing Address: 5215 Langworth Road
Oakdale, CA 95361

SIGNATURES MUST BE NOTARIZED AND BE PER RECORDED DEED

NOTARY

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

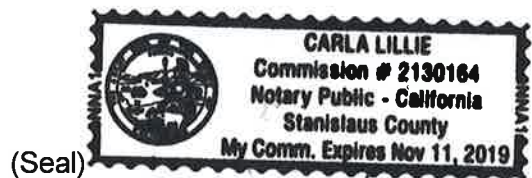
State of California
County of Stanislaus

On Nov. 4, 2016 before me Carla Lillie, notary public, Notary Public,
personally appeared Senice Paniagua
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument to
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

Witness my hand and official seal

Carla Lillie
Signature



CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Stanislaus

On _____ before me _____, Notary Public,
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument to
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

Witness my hand and official seal

Signature

(Seal)

EXHIBIT "A"

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-NIL**

AGRICULTURAL DISCHARGE PERMIT ON THE MOOTZ LATERAL

APN: 062-027-004

WHEREAS, COELHO FARMING, LLC is the titled owner of property located in the Southeast Quarter of Section 32, T.2 S. R.10 E., M.D.B.& M., in the unincorporated area of Stanislaus County, California, and have requested an AGRICULTURAL DISCHARGE PERMIT for Agricultural Discharge into the Mootz Lateral; and

WHEREAS, the AGRICULTURAL DISCHARGE PERMIT has been signed by the titled owners.

NOW THEREFORE BE IT RESOLVED, that the provisions contained in the Agricultural Discharge Permit of the above-identified land have been accepted by the titled owner of said property, is hereby accepted by the District, and that the President be and is hereby authorized and directed to have the same recorded on the records of Stanislaus County, and that said Agricultural Discharge Permit in its entirety is incorporated by reference hereto this Resolution.

Upon Motion of Director _____, seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this sixteenth day of November, 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb, President
Board of Directors

Steve Knell, P.E.
General Manager/Secretary

EXHIBIT "B"

LEGAL DESCRIPTION FOR SUBJECT PROPERTY

All that real property situated in the County of Stanislaus, State of California, commonly known as 5254 and 5106 Langworth, Oakdale, California, and more particularly described as follows:

Parcel No. 1:

The South 42.5 acres of the North 85 acres of the Southeast quarter of Section 32, Township 2 South, Range 10 East, M.D.B.&M.

Parcel No. 2:

All that portion of the South 75 acres of the Southeast quarter of Section 32, Township 2 South, Range 10 East, M.D.B.&M., which lies North of the center line of the canal right of way of Oakdale Irrigation District as now located through said ½ of the Southeast quarter.

APN: 062-027-004

END OF DESCRIPTION

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 12
APN: 062-027-004

**SUBJECT: APPROVE ENCROACHMENT PERMIT ON THE MOOTZ LATERAL
(APN: 062-027-004 – COELHO FARMING, LLC)**

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The Oakdale Irrigation District (OID) Mootz Lateral crosses through the parcel noted above. As part of a landuse conversion project, a pressurized irrigation system will be installed on the property. As such, the landowner wishes to install a 4" sch. 40 PVC private filter station backflush pipeline into the Mootz Lateral. An Agricultural Discharge Permit for the filter station backflush water was presented to the Board in the previous agenda item. OID Staff has reviewed this project and recommends approval of this Encroachment Permit.

FISCAL IMPACT: A fee has been collected to cover all District costs.

ATTACHMENTS:

- Encroachment Permit
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

RECORDING REQUESTED BY &
WHEN RECORDED RETURN TO:



OAKDALE IRRIGATION DISTRICT
1205 East F Street
Oakdale, CA 95361

APN: 062-027-004

**ENCROACHMENT PERMIT
ON THE MOOTZ LATERAL**

THIS ENCROACHMENT PERMIT executed this SIXTEENTH day of NOVEMBER, 2016, by and between OAKDALE IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the State of California, hereinafter referred to as "DISTRICT," and COELHO FARMING, LLC, hereinafter referred to as "OWNER" sets forth Permits as follows:

WITNESSETH:

WHEREAS, the Board of Directors of the DISTRICT adopted the request for an Encroachment Permit on November 16, 2016, as shown in the Resolution attached hereto as **Exhibit "A."**

WHEREAS, DISTRICT occupies easements and fee-owned lands for its irrigation and drainage facilities, and

WHEREAS, OWNER'S property described in the attached **Exhibit "B"** (the "Subject Property") is subject to all or a portion of said easements, and

WHEREAS, OWNER has title to the Subject Property and wishes to encroach upon the MOOTZ LATERAL right-of-way with encroachments as follows:

1. One (1) 4" sch. 40 PVC private agricultural filter station backflush discharge pipeline

WHEREAS, DISTRICT is willing to permit said encroachments provided the OWNER agrees to the following provisions:

1. Nature of Right Conferred. This Permit is valid only for the purposes specified herein, and neither the Permit, nor use there under shall create an easement, right-of-way, or other interest in real property owned by DISTRICT.

DISTRICT intends hereby to assent only to (a) an encroachment upon an easement or easements held by DISTRICT or (b) to confer a license to OWNER to encroach upon DISTRICT fee-owned lands, all subject to the terms hereof. Nothing in this Permit constitutes a grant or other disposition of any land or interest in land, which is owned or otherwise occupied by DISTRICT. OWNER acknowledges that the lands upon which the facilities of DISTRICT are located may not be owned by DISTRICT, and further acknowledges that the consent contained in this Permit relates only to the rights of DISTRICT by virtue of an easement or easements upon Subject Property or upon land owned in fee by DISTRICT. It is understood that nothing in this Permit shall be considered as a representation by DISTRICT of the authority to grant any interest in land over, across, or under any property owned or controlled by any person other than DISTRICT and OWNER shall obtain any further grants or consents from all others owning interests in the underlying easement land.

2. Assignments, Sublicenses and Termination. The right to use or maintain the encroachments listed above on the subject DISTRICT facility as authorized herein shall be transferrable to OWNER'S successors or assigns, however, OWNER may not, without the prior written consent of DISTRICT, authorize or permit others to utilize any facilities, structures, easements or right-of-way area which are in any way not expressly authorized by this Permit. Should OWNER wish to terminate this permit, written notice shall first be provided to DISTRICT. Upon approval, DISTRICT may request with 30 days written notice, the removal or relocation of all or portions of OWNER'S encroachments and OWNER shall perform the required work at no cost to DISTRICT. Should OWNER'S encroachments not be removed within the specified time, DISTRICT shall remove the encroachments and bill OWNER for all costs incurred.
3. Operational Access. DISTRICT shall have the right of necessary ingress to and egress from said strip of land at any and all times for people with tools and/or equipment required for the repair, replacement, maintenance and/or operation of that irrigation canal or pipeline system and appurtenant facilities located within DISTRICT right-of-way. OWNER's encroachment shall not interfere with DISTRICT's operational use of its irrigation and drainage facilities.
4. Indemnity and Release. OWNER shall (i) indemnify and hold harmless and (ii) release DISTRICT, its officers, agents and employees, against and from any and all loss, damage, claims, costs and expenses of whatsoever

nature, including court costs and attorney's fees resulting from the exercise of this permit including but not limited to, overflow of water from DISTRICT facilities, property damage, personal injury or, wrongful death from the installation, construction, maintenance, repair, renewal, modification, reconstruction, relocation or removal of the permitted OWNER facilities or any part thereof. OWNER shall promptly repair, at his own cost and under DISTRICT supervision, any damage caused to DISTRICT'S facilities due to work under this permit, to the satisfaction of DISTRICT. Should OWNER neglect to promptly make repairs, DISTRICT may make repairs or have repairs made and OWNER shall pay all costs.

5. Plans and Specifications: Construction. All encroachments and structures constructed under this Permit shall be erected by DISTRICT. Should DISTRICT allow OWNER to construct the encroachments and structures, the work shall be done in accordance with plans and specifications and upon locations approved in advance by DISTRICT as herein provided and shall be erected in such a manner as not to obstruct in any manner the flow of water in the canals, laterals or drain ditches of DISTRICT or to make more expensive or to interfere in any manner whatsoever with the construction, operation and maintenance of any part of the impacted irrigation and/or drainage works by DISTRICT. Any alterations or changes to the approved plans shall be approved by DISTRICT. **Exhibits "C" and "D"** (IF ATTACHED) indicate approved locations and/or plans of herein described encroachments. **Exhibit "E"** (IF ATTACHED) provides the Insurance and Bonding requirements of DISTRICT, which shall be met by OWNER prior to the start of construction.

Should DISTRICT allow OWNER to construct the encroachments and structures, OWNER shall call DISTRICT'S Engineer at 847-0341 a minimum 48 hours prior to planned construction and shall coordinate all construction activities with DISTRICT'S Water Operations Department. Further, routine inspections by DISTRICT of construction activities such as trenching, backfilling, compaction, concreting, etc., are required. OWNER and/or his contractors shall comply with all applicable laws, regulations and guidelines including OSHA, CAL-OSHA, State of California Department of Industrial Safety and Health Orders, Cal-Trans, and California Health and Welfare.

6. Ordinary Maintenance, Repair or Replacement. OWNER shall maintain and repair said encroachments at his sole cost and expense. Should OWNER neglect to promptly make repairs which impair the integrity and/or serviceability of DISTRICT facilities, DISTRICT may make repairs or have repairs made and OWNER shall pay all costs and expenses. Where necessary, and to the extent required to perform ordinary operation, maintenance, and reconstruction functions, DISTRICT may request, upon 30 days notice, the removal or relocation of portions of OWNER'S

encroachments and OWNER shall perform the required work at no cost to DISTRICT.

For emergency purposes OWNER will be required to remove encroachments immediately upon request by DISTRICT. If it should be necessary to repair or replace DISTRICT facilities, DISTRICT is not liable for damages or resultant damages to the permitted encroachments within the DISTRICT'S easement. Further, the repair and replacement of OWNER encroachments following DISTRICT maintenance and reconstruction efforts shall be performed by OWNER and at the expense of OWNER.

THIS PERMIT shall be a covenant binding upon both DISTRICT and OWNER.

IN WITNESS WHEREOF, DISTRICT and OWNER have caused their names to be affixed.

**OAKDALE IRRIGATION DISTRICT
"DISTRICT"**


Steve Webb, President
Board of Directors

Date

Steve Knell, P.E.
General Manager/Secretary

Date

"OWNER"


Jerice Paniagua, Member
Coelho Farming, LLC

11/04/14
Date

Mailing Address: 5125 Langworth Road
Oakdale, CA 95361

SIGNATURES MUST BE NOTARIZED AND BE PER RECORDED DEED

NOTARY

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CERTIFICATE OF ACKNOWLEDGMENT

State of California
County of Stanislaus

On Nov. 4, 2016 before me Carla Lillie, notary public, personally appeared Jenice Panagava who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument to person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal

Carla Lillie

Signature

(Seal)



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CERTIFICATE OF ACKNOWLEDGMENT

State of California
County of Stanislaus

On _____ before me _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument to person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal

Signature

(Seal)

EXHIBIT "A"

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-NIL**

ENCROACHMENT PERMIT ON THE MOOTZ LATERAL

APN: 062-027-004

WHEREAS, COELHO FARMING, LLC is the titled owner of property located in the Southeast quarter of Section 32, Township 2 South, Range 10 East, Mount Diablo Base and Meridian, in the unincorporated area of Stanislaus County, California; and

WHEREAS, the owners have requested an Encroachment Permit for:

1. One (1) 4" sch. 40 PVC private agricultural filter station backflush discharge pipeline

WHEREAS, the Encroachment Permit has been signed by the titled owners.

NOW THEREFORE BE IT RESOLVED, that the provisions contained in the Encroachment Permit of the above-identified land have been accepted by the titled owner of said property, is hereby accepted by the District, and that the President be and is hereby authorized and directed to have the same recorded on the records of Stanislaus County, and that said Encroachment Permit in its entirety is incorporated by reference hereto this Resolution.

Upon Motion of Director _____ seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this SIXTEENTH day of NOVEMBER, 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb, President
Board of Directors

Steve Knell, P.E.
General Manager/Secretary

EXHIBIT "B"

LEGAL DESCRIPTION FOR SUBJECT PROPERTY

All that real property situated in the County of Stanislaus, State of California, commonly known as 5254 and 5106 Langworth, Oakdale, California, and more particularly described as follows:

Parcel No. 1:

The South 42.5 acres of the North 85 acres of the Southeast quarter of Section 32, Township 2 South, Range 10 East, M.D.B.&M.

Parcel No. 2:

All that portion of the South 75 acres of the Southeast quarter of Section 32, Township 2 South, Range 10 East, M.D.B.&M., which lies North of the center line of the canal right of way of Oakdale Irrigation District as now located through said ½ of the Southeast quarter.

APN: 062-027-004

END OF DESCRIPTION

062-027-003

PROPOSED 4" sch. 40
PRIVATE FILTER STATION
BACKFLUSH PIPELINE

PROJECT SITE
062-027-004

60' 1912-0079

Mootz Lateral

Tenant
Deep Well

Langworth Road
062-027-015

062-027-014

062-027-013

062-027-012

062-027-011

062-027-010

062-027-017

062-027-007

062-027-006

062-027-005

18" C.P.

Pickering Drain

Claribel Road

OAKDALE IRRIGATION DISTRICT

1205 EAST F STREET
OAKDALE CALIFORNIA 95361

PROJECT SITE MAP
PROPOSED ENCROACHMENT PERMIT

APN: 062-027-004

MOOTZ LATERAL

OID
OAKDALE IRRIGATION DISTRICT



DATE: Oct. 11, 2016
DRAWN BY: ECS
CHECKED BY: ECT

EXHIBIT "C"

NOT TO SCALE
SHEET 1 of 1

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 13
APN: 014-043-008

SUBJECT: APPROVE ABANDONMENT AND QUITCLAIM AND ACCEPT A NEW GRANT OF EASEMENT OF A PORTION OF THE ALBERS LATERAL NO. 2 (APN: 014-043-008 – PETE POSTMA DAIRY PROPERTIES, L.P.)

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The Oakdale Irrigation District (OID) received a request to review the possibility of quitclaiming and abandoning the Albers Lateral No. 2 within the parcel noted above. Staff has reviewed and determined that the pipeline portion of the Albers Lateral No. 2 within the parcel noted above is operationally unnecessary and that quitclaim and abandonment will not be detrimental to the operations of OID. However, the open ditch upstream of the pipelined portion of the facility will need to continue to be maintained as an OID facility. As part of this project, the landowners have granted OID a perpetual easement for the open ditch portion of the Albers Lateral No. 2 within the limits of APN: 014-043-008. Upon acquisition of a new Grant of Easement for the remainder of the facility, staff recommends the Board of Directors (Board) formally quitclaim and abandon the said facility beyond the limits of the proposed Grant of Easement within the parcel noted above by Resolution of Abandonment and Quitclaim Deed (attached).

FISCAL IMPACT: Staff time for document preparation.

ATTACHMENTS:

- Abandonment Request – Albers Lateral No. 2
 - Draft Abandonment Resolution
 - Draft Quitclaim Deed
 - Draft Quitclaim Resolution
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

Oakdale Irrigation District
1205E. F Street
Oakdale, CA, 95361

**Re: Abandonment Request – Albers 2 Lateral
APNs:**

To whom it may concern:

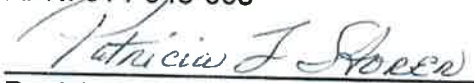
We, as the affected landowners of the parcels noted above, request the Oakdale Irrigation District formally quitclaim and abandon the District facility known as the Albers 2 Lateral from the point it begins as pipeline within APN: 014-043-008 to its terminus within APN: 014-044-010. A project site map is attached for clarification.

Sincerely,



Pete Postma Dairy Properties, L.P.
APN: 014-043-008

10-24-16
Date



Patricia L. Storer, Owner
APN: 014-044-007

10-24-16
Date

Wesley A. Remmers, Trustee
The Remmers Family Trust
APN: 014-044-010

Date


Judith K. Remmers, Trustee
The Remmers Family Trust
APN: 014-044-010

Date



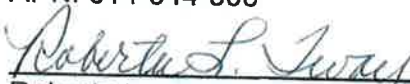
Karen L. Marsh, Owner
APN: 014-044-009

10/15/16
Date



Ronald J. Tway, Trustee
Tway Revocable Trust dated July 7, 2010
APN: 014-044-008

10/18/16
Date



Roberta L. Tway, Trustee
Tway Revocable Trust dated July 7, 2010
APN: 014-044-008

10/18/2016
Date

Oakdale Irrigation District
1205E. F Street
Oakdale, CA, 95361

**Re: Abandonment Request – Albers 2 Lateral
APNs:**

To whom it may concern:

We, as the affected landowners of the parcels noted above, request the Oakdale Irrigation District formally quitclaim and abandon the District facility known as the Albers 2 Lateral from the point it begins as pipeline within APN: 014-043-008 to its terminus within APN: 014-044-010. A project site map is attached for clarification.

Sincerely,

Pete Postma Dairy Properties, L.P.
APN: 014-043-008

Date

Patricia L. Storer, Owner
APN: 014-044-007

Date

Wesley Remmers
Wesley A. Remmers, Trustee
The Remmers Family Trust
APN: 014-044-010

10-19-2016

Date

Judith K. Remmers
Judith K. Remmers, Trustee
The Remmers Family Trust
APN: 014-044-010

10-19-16

Date

Karen L. Marsh, Owner
APN: 014-044-009

Date

Ronald J. Tway, Trustee
Tway Revocable Trust dated July 7, 2010
APN: 014-044-008

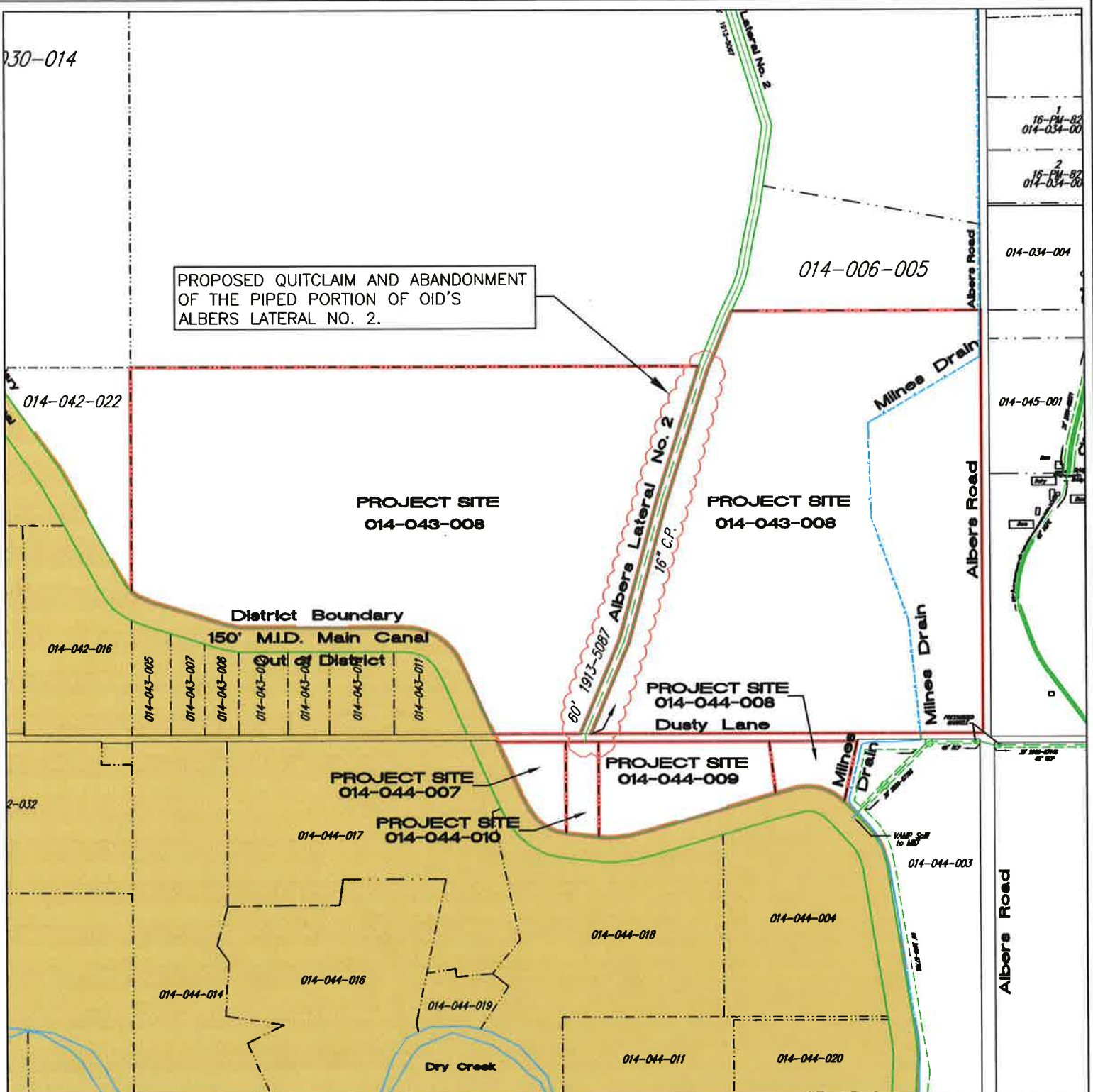
Date

Roberta L. Tway, Trustee
Tway Revocable Trust dated July 7, 2010
APN: 014-044-008

Date

030-014

PROPOSED QUITCLAIM AND ABANDONMENT
OF THE PIPED PORTION OF OI'D'S
ALBERS LATERAL NO. 2.



OAKDALE IRRIGATION DISTRICT
1205 EAST F STREET
OAKDALE CALIFORNIA 95361

PROJECT SITE MAP
REQUEST TO QUITCLAIM AND
ABANDON A DISTRICT FACILITY

APNs: 014-043-008, 014-044-007/008/009/010

OID
OAKDALE IRRIGATION DISTRICT



DATE: MAY 2, 2016
DRAWN BY: CMK
CHECKED BY:

ALBERS LATERAL NO. 2

NOT TO SCALE
SHEET 1 of 1

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-NIL**

**ABANDONMENT OF A PORTION OF A DISTRICT FACILITY
ALBERS LATERAL NO. 2**

APN: 014-043-008

WHEREAS, the Oakdale Irrigation District facility known as the Albers Lateral No. 2, as described in its original sixty foot (60) Grant Deed with Instrument No. 1913-5067, recorded March 22, 1913, in the Office of the Stanislaus County Recorder, and as shown on that certain Record of Survey recorded May 18, 1943, in Volume 3 of Record of Surveys on Page 54, in the Office of the Stanislaus County Recorder, located within the Northeast Quarter of Section 22, Township 3 South, Range 10 East, Mount Diablo Base and Meridian in the unincorporated area of Stanislaus County, is situated on the parcel noted above; and

WHEREAS, the Albers Lateral No. 2 located within the parcel noted above excepting therefrom that portion as described in that certain Grant of Easement with Instrument No. _____, recorded _____, in the Office of the Stanislaus County Recorder, has been reviewed by the Water Operations Department and has been determined to be operationally unnecessary; and

WHEREAS, Oakdale Irrigation District has no plan to expand or modify the use of that portion of the Albers Lateral No. 2 and has no need to maintain the said facility as described, and the abandonment of that portion of the said facility will not be detrimental to the irrigation operations of the Oakdale Irrigation District.

NOW, THEREFORE BE IT RESOLVED, that we find the abandonment of that portion of the Albers Lateral No. 2 as herein described and as shown on the attached Project Site Map attached hereto as "Exhibit "A" is appropriate and be adopted.

Upon motion of Director _____, seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled resolution was adopted this sixteenth day of November, 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb, Board President

Steve Knell, P.E., Secretary

OID'S ALBERS LATERAL NO. 2 TO BE
ABANDONED WITHIN APN: 014-043-008
EXCEPTING THEREFROM THAT PORTION
AS DESCRIBED IN THAT CERTAIN GRANT
OF EASEMENT WITH INSTRUMENT
NO. _____.

PROJECT SITE
014-043-008

Dusty Lane



NOT TO SCALE
SHEET 1 of 1



RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:



OAKDALE IRRIGATION DISTRICT
1205 East F Street
Oakdale, CA 95361

APN: 014-043-008

The undersigned declares Documentary Transfer Tax is \$0.00

QUITCLAIM DEED – ALBERS LATERAL NO. 2

FOR A CONSIDERATION, receipt of which is hereby acknowledged,

OAKDALE IRRIGATION DISTRICT, an irrigation district organized and existing under the laws of the State of California, does hereby remise, release and forever quitclaim to the property owner of record, Pete Postma Dairy Properties, L.P., any interest in that portion of the Albers Lateral No. 2 located within the parcel noted above excepting therefrom that portion as described in that certain Grant of Easement with Instrument No. _____, recorded _____, in the Office of the Stanislaus County Recorder, and any interest in its original sixty (60) foot Grant Deed situated through the parcel noted above as described in Instrument No. 1913-5067, recorded March 22, 1913 in the Office of the Stanislaus Recorder, and as shown on that certain Record of Survey recorded May 18, 1943, in Volume 3 of Record of Surveys on Page 54, in the Office of the Stanislaus County Recorder. Said easement is as shown on the attached Project Site Map attached hereto as Exhibit "B".

Approved by Board Action on November 16, 2016, as shown in the Resolution attached hereto as Exhibit "A".

OAKDALE IRRIGATION DISTRICT

Steve Webb, President

Date

Steve Knell, P.E., Secretary

Date

NOTARY

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____,

On _____ before me _____,

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature

(Seal)

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____,

On _____ before me _____,

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

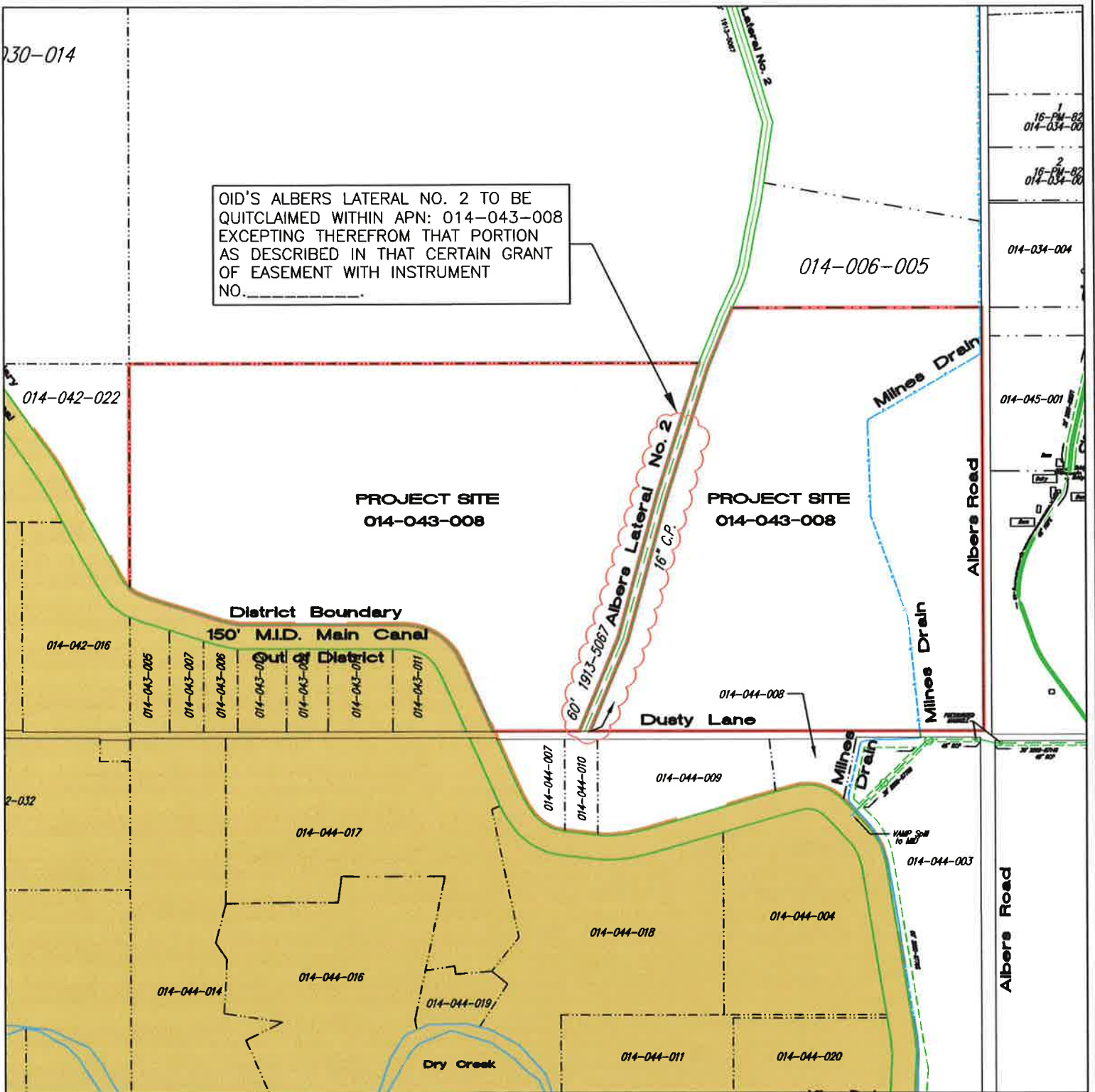
WITNESS my hand and official seal

Signature

(Seal)

030-014

OID'S ALBERS LATERAL NO. 2 TO BE
QUITCLAIMED WITHIN APN: 014-043-008
EXCEPTING THEREFROM THAT PORTION
AS DESCRIBED IN THAT CERTAIN GRANT
OF EASEMENT WITH INSTRUMENT
NO. _____



OAKDALE IRRIGATION DISTRICT
1205 EAST F STREET
OAKDALE CALIFORNIA 95361

PROJECT SITE MAP
QUITCLAIM OF A DISTRICT FACILITY
ALBERS LATERAL NO. 2
APN: 014-043-008



DATE: OCT. 25, 2016
DRAWN BY: CMK
CHECKED BY: ECT

EXHIBIT "B"

NOT TO SCALE
SHEET 1 of 1

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2016-NIL**

**AUTHORIZING QUITCLAIM DEED TO
PETE POSTMA DAIRY PROPERTIES, L.P.**

APN: 014-043-008

WHEREAS, the Oakdale Irrigation District facility known as Albers Lateral No. 2, situated in its original sixty (60) foot Grant Deed through the parcel noted above as described in Instrument No. 1913-5067, recorded March 22, 1913 in the Office of the Stanislaus County Recorder, and as shown on that certain Record of Survey recorded May 18, 1943, in Volume 3 of Record of Surveys on Page 54 in the Office of the Stanislaus County Recorder, located within the Northeast Quarter of Section 22, Township 3 South, Range 10 East, Mount Diablo Base and Meridian in the unincorporated area of Stanislaus County; and

WHEREAS, the Albers Lateral No. 2 located within the parcel noted above excepting therefrom that portion as described in that certain Grant of Easement with Instrument No. _____, recorded _____, in the Office of the Stanislaus County Recorder, has been reviewed by the Oakdale Irrigation District's Water Operations Department and has been determined to be operationally unnecessary; and

WHEREAS, Oakdale Irrigation District has no plan to expand or modify the current use of that portion of the Albers Lateral No. 2 and has no need to maintain said facility as described, and the abandonment of said facility will not be detrimental to the operations of the Oakdale Irrigation District.

NOW THEREFORE BE IT RESOLVED, that any interest in that portion of the Albers Lateral No. 2 excepting therefrom that portion as described in that certain Grant of Easement with Instrument No. _____, recorded _____, in the Office of the Stanislaus County Recorder, and any interest in its original sixty (60) foot Grant Deed within the parcel noted above as described in Instrument No. 1913-5067, recorded March 22, 1913 in the Office of the Stanislaus County Recorder, and as shown on that certain Record of Survey recorded May 18, 1943, in Volume 3 of Record of Surveys on Page 54 in the Office of the Stanislaus County Recorder, be quitclaimed to the titled owner of said property, and that said Quitclaim in its entirety is incorporated herein by reference to this Resolution.

Upon Motion of Director _____, seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this sixteenth day of November, 2016.

OAKDALE IRRIGATION DISTRICT

Steve Webb, President

Steve Knell, P.E., Secretary



AGENDA ITEMS ACTION CALENDAR

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 14
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO CANCEL THE DECEMBER 21, 2016 SPECIAL BOARD MEETING DUE TO HOLIDAY SCHEDULE

RECOMMENDED ACTION: Cancel the December 21, 2016 Special Board Meeting

BACKGROUND AND/OR HISTORY:

The District office will be closed the week of December 19-23, 2016 for the Christmas Holiday. There is generally little to no business activity that is conducted by agencies during the holiday season. For that reason, this item is being brought to the Board for discussion.

FISCAL IMPACT: None

ATTACHMENTS:

Board Motion:

Motion by: _____ **Second by:** _____

VOTE

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

BOARD AGENDA REPORT

Date: November 16, 2016
Item Number: 15
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION AUTHORIZING TRAVEL EXPENSES FOR THE GENERAL MANAGER AND WATER COUNSEL TO TRAVEL TO WASHINGTON DC TO ADVOCATE FOR PREDATOR SUPPRESSION, NEW MELONES STORAGE, AND THE WATER QUALITY CONTROL PLAN STORAGE

RECOMMENDED ACTION: Board Discretion

BACKGROUND AND/OR HISTORY:

The General Manager will discuss the need to go back to Washington D.C. December 5-8, 2016 to meet with the Representatives to advocate for predator suppression programs on the Stanislaus River, New Melones storage, and the Water Quality Control Plan.

South San Joaquin Irrigation District's General Manager and In-House Counsel will also be attending and picking up ½ of the Attorney costs.

FISCAL IMPACT: Estimated cost is less than \$10,000 for both the GM and Water Counsel

ATTACHMENTS:

- List of DC Meetings being arranged
-

Board Motion:

Motion by: _____ **Second by:** _____

VOTE:

Webb (Yes/No) Doornenbal (Yes/No) Osmundson (Yes/No) Altieri (Yes/No) Santos (Yes/No)

Action(s) to be taken:

Meetings in DC for December 6th and 7th are being arranged to include:

Congressional:

Jeff Denham

Tom McClintock

Jim Costa

Doug La Malfa

David Valadao

Jerry Mc Nerney

John Garamendi

Kevin McCarthy

Devin Nunes

Resource Committee:

Kiel Weaver

Senate:

Dianne Feinstein

Water and Power

Lisa Murkowski (Alaska)

(Senate version of resources)

Reclamation:

Conner or Under Secretary

National Marine Fisheries Service (NMFS): (?)

United States Fish and Wildlife Service: (?)



DISCUSSION ITEMS

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016

DISCUSSION ITEM

Date:	November 16, 2016
Item Number:	16
APN:	N/A

SUBJECT: DISCUSSION / PRESENTATION OF PROPOSED DRAFT 2017 BUDGET

BACKGROUND AND DISCUSSION:

Attached is a proposed draft budget for 2017 was reviewed and recommended by the Finance Committee on November 7, 2016.

This budget projection was based on the implementation of the Water Resource Plan that was developed to meet the District's Mission Statement goals:

- Long-term protection of Water Rights
 - Curtailments, CCWD, BOR/88 Agr, Public Trust, SWB Regs., ESA
- Address Federal, State, Local Water Challenges
 - D-1641, WQCP (40% unimpaired flows), WaterFix, SGMA, droughts
- Rebuild/modernization of an out-of-date system
 - \$3 million in life cycle replacements and \$3 million in modernization
- Develop affordable ways to finance improvements
 - \$168 million of costs to achieve goals by 2030
 - 67 TAF of Conservation: 50 TAF in water transfers, 17 TAF to SOI

It continues to be our goal to:

- Construct and build-up funds to for the new 5,300' tunnel on the South Main Canal to address high hazard sections due to fall-hazards and creep failure.
- Build-up funds to pay-off debt early in 2023.

The focus of the proposed 2017 budget is:

1. Protection of the District's Water Rights
2. Meet Capital Improvement Project needs:
 - a. Life-cycle replacement – *start of Two-Mile Bar included.*
 - b. Modernization – *state of TCC grant project.*
 - c. Mission critical water resource plan projects
3. Maintain and retain a high quality workforce
4. Manage finances to protect reserves and assets
 - a. All budget expenditures are "value added"

ATTACHMENTS:

- 2017 Proposed Draft Budget
- 2017 Proposed Organizational Chart
- PowerPoint Presentation

Board Comments:



OAKDALE IRRIGATION DISTRICT DRAFT PROPOSED 2017 BUDGET

Board Review - November 16, 2016

**OAKDALE IRRIGATION DISTRICT
PROPOSED 2017 BUDGET**



TABLE OF CONTENT

PAGE NO.	
1	REVENUES, EXPENSES, AND CHANGES IN NET ASSETS
2	REVENUE DETAIL
3	OPERATING EXPENSE SUMMARY
4	CAPTIAL AND DEBT EXPENDITURES
5	DEBT SERVICE COVERAGE

OAKDALE IRRIGATION DISTRICT

REVENUES, EXPENSES, AND CHANGES IN NET ASSETS PROPOSED 2017 BUDGET

Proposed 2017 Budget as Compared to 2016 Budget and 2016 Projected Actuals



	2017 PROPOSED BUDGET	2017 BUDGET COMPARED TO 2016 BUDGET		2017 BUDGET COMPARED TO 2016 PROJECTED ACTUALS	
		2016 BUDGET	BUDGET	2016 PROJECTED ACTUALS	2017 BUDGET
1 OPERATING REVENUES					
2 Agricultural Water Delivery Charges (base rate)	\$1,928,100	\$1,928,100	\$0	\$1,932,149	(\$4,049)
3 Water Sales	6,397,100	10,713,300	(4,316,200)	17,025,898	(10,628,798)
4 Annexation Fees	1,922,000	1,922,000	0	0	1,922,000
5 Domestic Water	206,300	209,000	(2,700)	207,378	(1,078)
6 Improvement District Fees	62,000	65,000	(3,000)	61,522	478
7 Miscellaneous Revenues	80,100	84,200	(4,100)	99,368	(19,268)
8 Total Operating Revenue	10,595,600	14,921,600	(4,326,000)	19,326,315	(8,730,715)
9 OPERATING EXPENSES					
10 Operations and Maintenance	5,998,300	5,932,500	65,800	4,581,883	1,416,417
11 Water Operations	3,021,680	2,999,600	22,000	3,221,470	(199,870)
12 General and Administrative	4,706,700	2,631,300	2,075,400	2,865,836	1,840,864
13 Depreciation and Amortization	2,446,500	2,512,600	(66,100)	2,439,970	6,530
14 Total Operating Expenses	16,173,100	14,076,000	2,097,100	13,109,160	3,063,940
15 Net Income (loss) From Operations	(5,577,500)	845,600	(6,423,100)	6,217,155	(11,794,655)
16 NONOPERATING REVENUES (EXPENSE)					
17 County Property Tax Appropriations	2,275,000	2,000,000	275,000	2,230,000	45,000
18 Investment Earnings	697,600	690,200	7,400	851,800	(154,200)
19 Interest Expense	(1,093,000)	(1,457,000)	364,000	(1,217,476)	124,476
20 Tri-Dam Project Distributions	10,000,000	10,900,000	(900,000)	7,959,088	2,040,912
21 Tri-Dam Power Authority Distributions	3,350,000	500,000	2,850,000	0	3,350,000
22 Total Nonoperating Revenues (Expenses)	15,229,600	12,633,200	2,596,400	9,823,412	5,406,188
23 Income (loss) before Capital Contributions	9,652,100	13,478,800	(3,826,700)	16,040,567	(6,388,467)
24 Capital Contributions	0	0	0	2,800	(2,800)
25 Change in Net Assets	\$9,652,100	\$13,478,800	(\$3,826,700)	\$16,043,367	(\$6,391,267)
26 Note: Capital expenditures and debt obligations	\$15,476,800	\$8,005,925	\$7,470,875	\$5,103,936	\$10,372,864

OAKDALE IRRIGATION DISTRICT REVENUES

PROPOSED 2017 BUDGET

Proposed 2017 Budget as Compared to 2016 Budget and 2016 Projected Actuals



	2017 PROPOSED BUDGET	2016 BUDGET	2017 BUDGET COMPARED TO 2016 BUDGET	2016 PROJECTED ACTUALS	2017 BUDGET COMPARED TO 2016 PROJECTED ACTUALS
1 OPERATING REVENUES					
2 Agricultural water delivery charges (base rate)					
3 Tier 1	\$1,706,700	\$1,706,700	\$0	\$1,710,727	(\$4,027)
4 Tier 2	221,400	221,400	0	221,422	(22)
5 Water Sales					
6 Tier 1	696,600	921,200	(224,600)	596,086	100,514
7 Tier 2	650,500	542,100	108,400	646,460	4,040
8 Local out-of-district	50,000	500,000	(450,000)	33,352	16,648
9 Out-of-area	5,000,000	8,750,000	(3,750,000)	15,750,000	(10,750,000)
10 Annexation fees (one-time)	1,922,000	1,922,000	0	0	1,922,000
11 Domestic water	206,300	209,000	(2,700)	207,378	(1,078)
12 Improvement District fees	62,000	65,000	(3,000)	61,522	478
13 Miscellaneous revenues					
14 Penalties	21,300	17,500	3,800	24,289	(2,989)
15 Transfer Fees	3,700	6,700	(3,000)	5,379	(1,679)
16 Clavey	6,000	6,000	0	6,000	0
17 Miscellaneous Revenue	49,100	54,000	(4,900)	63,700	(14,600)
18 Total Operating Revenue	10,595,600	14,921,600	(4,326,000)	19,326,315	(8,730,715)
19					
20 NONOPERATING REVENUES					
21 County property tax appropriations	2,275,000	2,000,000	275,000	2,230,000	45,000
22 Investment earnings					
23 Investment earnings	240,000	210,000	30,000	252,738	(12,738)
24 General interest (notes)	457,600	480,200	(22,600)	599,062	(141,462)
25 Gain (loss) on property and equipment		0	0	0	0
26 Tri-Dam Project distributions	10,000,000	10,900,000	(900,000)	7,959,088	2,040,912
27 Tri-Dam Power Authority distributions	3,350,000	500,000	2,850,000	0	3,350,000
28 Total Nonoperating Revenues	16,322,600	14,090,200	2,232,400	11,040,888	5,281,712
29					
30 TOTAL REVENUES	\$26,918,200	\$29,011,800	(\$2,093,600)	\$30,367,203	(\$3,449,003)

OAKDALE IRRIGATION DISTRICT OPERATING EXPENSES SUMMARY PROPOSED 2017 BUDGET

Proposed 2017 Budget as Compared to 2016 Budget and 2016 Projected Actuals



	2017 PROPOSED BUDGET	2017 BUDGET COMPARED TO 2016 BUDGET		2016 PROJECTED ACTUALS	2017 BUDGET COMPARED TO 2016 PROJECTED ACTUALS
		2016 BUDGET			
1 OPERATING EXPENSES					
2 MAINTENANCE					
3 SSJID Main Supply Diversion Works	\$38,000	\$98,000	(\$60,000)	\$37,699	\$301
4 North Main Canal Maintenance	406,600	396,500	10,100	138,948	267,652
5 South Main Canal Maintenance	371,800	291,500	80,300	274,614	97,186
6 Irrigation Water Lateral Maintenance - North Side	2,028,500	2,130,200	(101,700)	1,445,639	582,861
7 Irrigation Water Lateral Maintenance - South Side	1,472,400	1,302,300	170,100	1,220,435	251,965
8 Pumping Plant Operations and Maintenance	670,800	705,100	(34,300)	441,109	229,691
9 Drainage System Maintenance	266,900	279,800	(12,900)	223,963	42,937
10 Building and Grounds Maintenance	230,800	207,900	22,900	318,918	(88,118)
11 Vehicle and Equipment Maintenance	532,500	521,200	(8,700)	480,558	31,942
12 TOTAL MAINTENANCE	5,988,300	5,932,500	65,800	4,581,883	1,416,417
13 WATER OPERATIONS					
14 Domestic Water System Maintenance	238,500	278,400	(39,800)	203,219	35,381
15 Irrigation Water Operations - North Division	1,363,300	1,333,850	29,450	1,502,263	(138,963)
16 Irrigation Water Operations - South Division	1,343,300	1,311,850	31,450	1,437,477	(94,177)
17 Drainage Water Operations	18,600	11,500	7,100	38,034	(19,434)
18 Water Measurement Management	57,800	64,000	(6,200)	40,477	17,323
19 TOTAL WATER OPERATIONS	3,021,600	2,999,600	22,000	3,221,470	(199,870)
20 GENERAL, ADMINISTRATION, AND DEPRECIATION					
21 General and Administration	4,706,700	2,631,300	2,075,400	2,865,836	1,840,864
22 Depreciation and Amortization	2,446,500	2,512,600	(66,100)	2,439,970	6,530
23 TOTAL GENERAL, ADMINISTRATION, AND DEPR.	7,153,200	5,143,900	2,009,300	5,305,806	1,847,394
24					
25 TOTAL OPERATING EXPENSES	\$16,173,100	\$14,076,000	\$2,097,100	\$13,109,160	\$3,063,940
26 NONOPERATING EXPENSES					
27 Interest expense	1,093,000	1,457,000	(364,000)	1,217,476	(124,476)
28 TOTAL NONOPERATING EXPENSES	1,093,000	1,457,000	(364,000)	1,217,476	(124,476)
29					
30 TOTAL OPERATING AND NONOPERATING EXPENSES	\$17,266,100	\$15,533,000	\$1,733,100	\$14,326,636	\$2,939,464

**OAKDALE IRRIGATION DISTRICT
CAPITAL AND DEBT EXPENDITURES
PROPOSED 2017 BUDGET**



	GL ACCOUNT NO.	GL DESCRIPTION	PROJECT DESCRIPTION	AMOUNT	PURPOSE
1	Various	Capital Work	Capital construction projects as per WRP (baseline CIP)	\$2,000,000	Replacement
2			Capital construction projects as per WRP (modernization)	3,000,000	Modernization
3			Two-Mile Bar Tunnel	8,480,000	New/replacement
4					
5	00-000-15150-00	Ag Pumping Plants	Major repairs	50,000	Replacement
6					
7	00-000-15183-00	Miscellaneous Construction Equipment	Electric Vibrator, 10 ft. shaft	1,500	Replacement
8			Trash pump - 3"	2,000	Replacement
9			Generator - 5.6 KW	2,700	Replacement
10			Air compressor - 175 PSI with electric start	3,000	Replacement
11			Trash pump - 2" (2)	3,400	Replacement
12			Tool storage chest set	3,500	Replacement
13			Vibratory Rammer	3,900	Replacement
14			Pipeline inspection camera	4,500	New
15			Air conditioning refrigerant recover, recycle, evacuate & recharge unit	6,500	Replacement
16			Ventura electric / hydraulic truck crane (ET-21KX - 3500 lb. rating)	15,000	New
17			Compact excavator w/attachments (2)	170,000	New & replacement
18			Loader	360,000	Replacement
19					
20	00-000-15184-00	Autos/Pickups/Trucks/Trailers	1/2-ton pickup for DSOs (2)	60,000	Replacement
21			1/2-ton 4 wheel drive pickup for DSO	32,000	Replacement
22			3/4-ton 4x4 gas pickup with tow package (gasoline) (2)	76,000	New
23			Crew truck with auto crane and custom bed	95,000	New
24					
25	00-000-15187-00	Office and Engineering Equipment	Workstation computers	10,000	Replacement
26			Postage machine	12,800	Replacement
27			Network redundancy and reliability upgrade (virtualization)	200,000	Upgrade/replacement
28				<u>14,591,800</u>	
29		TOTAL CAPITAL PROJECTS AND PURCHASES EXPENDITURES			
30	00-000-22320-00	Current portion - COP Debt	Principal payment of Series 2016 COP	885,000	Installment payments
31					
32		TOTAL CAPITAL AND DEBT EXPENDITURES		<u>\$15,476,800</u>	

OAKDALE IRRIGATION DISTRICT DEBT SERVICE COVERAGE



PROPOSED 2017 BUDGET

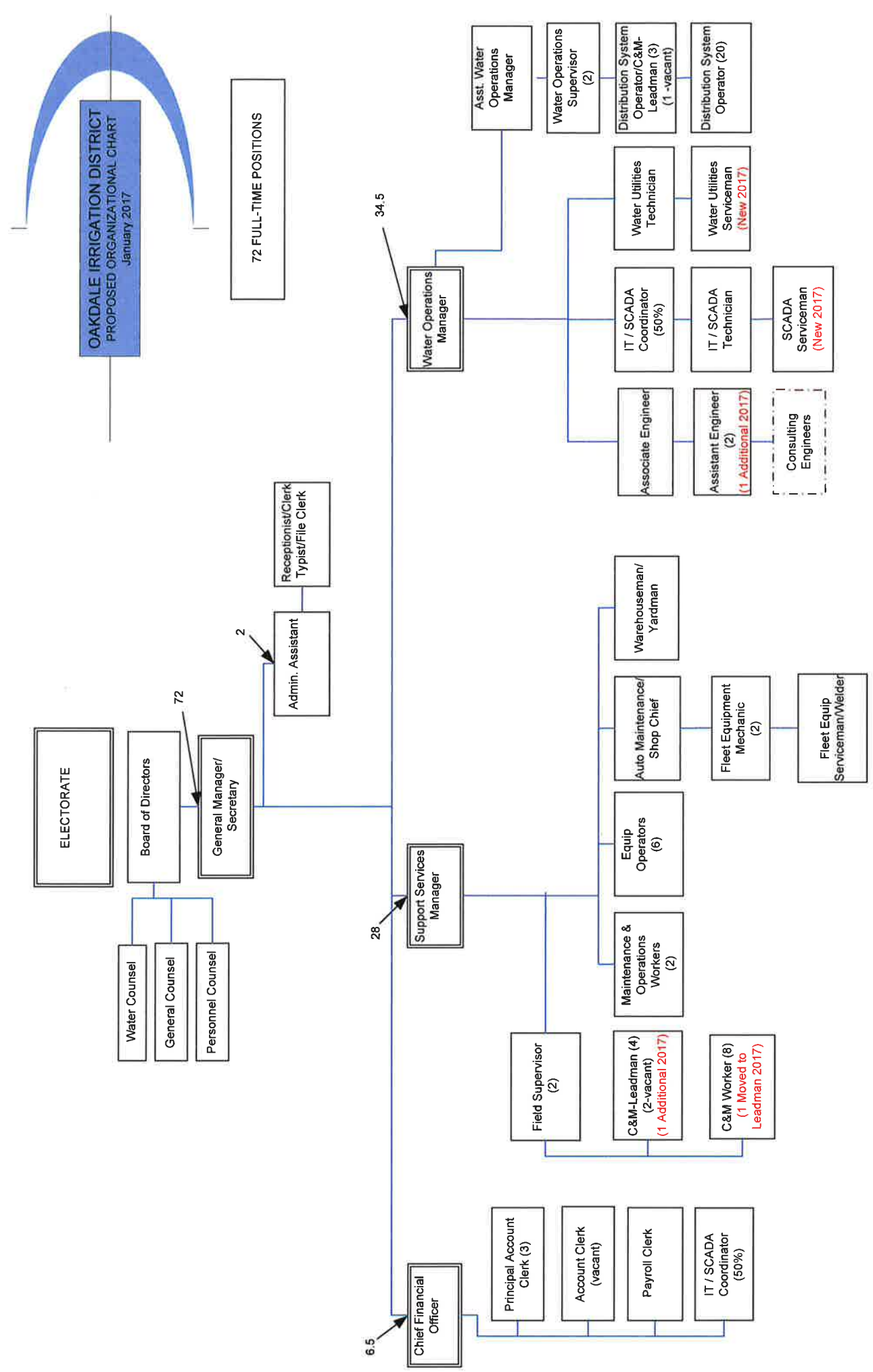
REVENUES	
Agricultural Water Delivery Charges (base rate)	\$1,928,100
Water Sales	6,397,100
Annexation Fees	1,922,000
Domestic Water	206,300
Improvement District Fees	62,000
Miscellaneous Revenues	80,100
County Property Tax Appropriations	2,275,000
Investment Earnings	697,600
Tri-Dam Project Distributions	10,000,000
Tri-Dam Power Authority Distributions	3,350,000
Total Operating Revenue	26,918,200
OPERATING EXPENSES	
Operations and Maintenance	5,998,300
Water Operations	3,021,600
General and Administrative	4,706,700
Total Operating Expenses	13,726,600
Net Income (loss)	13,191,600
Debt Service 2016 Bonds	
2017 Interest	994,481
2017 Principal	885,000
	1,879,481
Debt Service Coverage Ratio	702%
Minimum required net revenue (to provide 110% coverage)	2,067,429
Excess net revenues	11,124,171

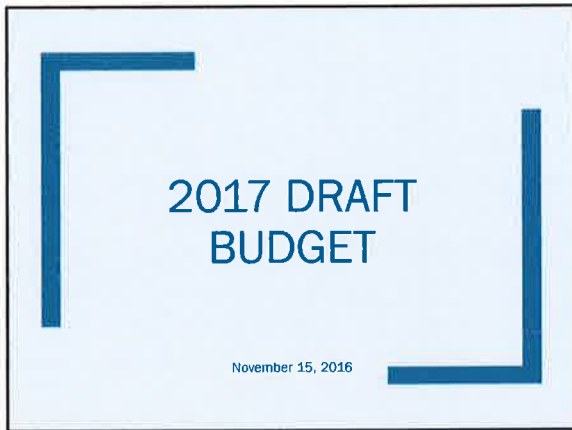
OAKDALE IRRIGATION DISTRICT DEBT SERVICE COVERAGE

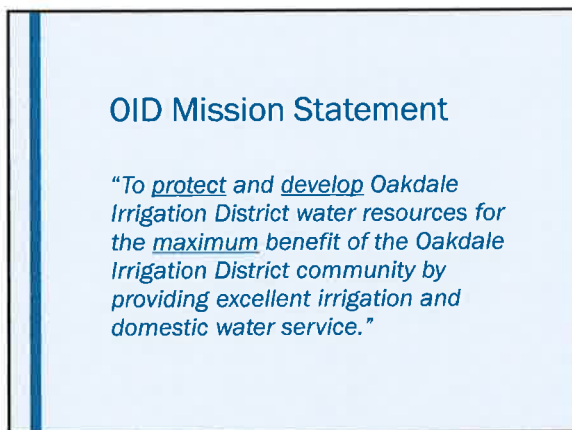


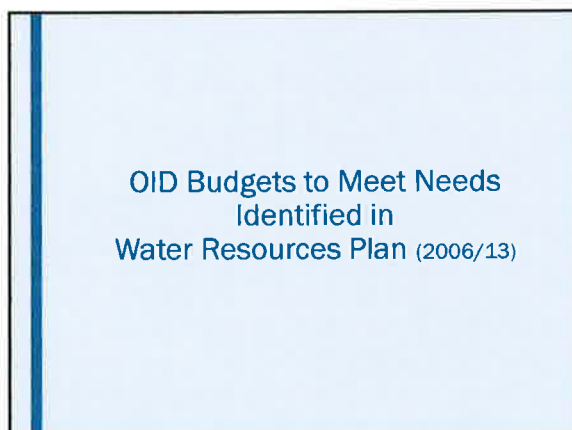
PROPOSED 2017 BUDGET

REVENUES	
Agricultural Water Delivery Charges (base rate)	\$1,928,100
Water Sales	6,397,100
Annexation Fees	1,922,000
Domestic Water	206,300
Improvement District Fees	62,000
Miscellaneous Revenues	80,100
County Property Tax Appropriations	2,275,000
Investment Earnings	697,600
Tri-Dam Project Distributions	10,000,000
Tri-Dam Power Authority Distributions	3,350,000
Total Operating Revenue	26,918,200
OPERATING EXPENSES	
Operations and Maintenance	5,998,300
Water Operations	3,021,600
General and Administrative	4,706,700
Total Operating Expenses	13,726,600
Net Income (loss)	13,191,600
Debt Service 2016 Bonds	
2017 Interest	994,481
2017 Principal	885,000
	1,879,481
Debt Service Coverage Ratio	702%
Minimum required net revenue (to provide 110% coverage)	2,067,429
Excess net revenues	11,124,171









Water Resource Plan Goals

(2006/13)

- Long Term Protection of Water Rights
- Address Federal, State, Local Water Challenges
- Rebuild/Modernize Out-of-Date System
- Develop Affordable Ways to Finance Improvements

What does this all mean?

Water Resource Plan Developed to meet Mission Statement & Goals

- Long Term Protection of Water Rights
 - 1926 Adjudication, BOR/BB Agreement, D-1641,
- Address Federal, State, Local Water Challenges
 - WQCP (40% UIF), WaterFix, SGMA, see GM Newsletter for 14 more!
- Rebuild/Modernize Out-of-Date System (2016 \$)
 - \$3.6 mill in life-cycle replacements and \$3.6 mill in modernization
- Develop Affordable Ways to Finance Improvements
 - 67 TAF of Conservation: 50 TAF in water sales
17 TAF to SOI

Water Resource Plan CIP – Financing OID's Future

- Rebuild/Modernize Out-of-Date System
 - \$7.2 million/year construction and modernization requirement
 - \$1.0 million/year bond debt
 - \$8.2 million
- Develop Affordable Ways to Finance Improvements
 - It was a balanced plan: Some water sales some annexations.
 - Then: 67 TAF of Conservation: 50 TAF in water sales (75%)
17 TAF to SOI (25%)
 - Today: 75 TAF of Conservation: 40 TAF in water sales (53%)
35 TAF (25 SOI, 5 TAF Local Use) (47%)
 - Challenge: Find ways to finance \$8.2 million in CIP with 40 TAF of water

2017 Budget Focus

- Protection of the District's Water Rights
 - WQCP
- Meet Capital Improvement Project (CIP) Needs;
 - Life-cycle Replacement
 - Modernization
 - Mission Critical Water Resource Plan Projects
- Maintain and Retain a High Quality Workforce
- Manage Finances to Protect Reserves and Assets
 - All Budget Expenditures are "Value Added"

Budget Focus – Looking Ahead

- Meet the needs of the WRP
- Rebuild Old Infrastructure
 - Build a new 5,300 foot tunnel on South Main Canal downstream of Two-Mile Bar in 2017-2019
 - Estimated Cost \$15-\$20 million
- Modernize Old Water Delivery System
 - Rubicon TCC Implementation (2017-2027)
 - Estimated Cost \$3 million each phase
 - Total of 5 phases, 1 every 2 years (+/-)
- Pay off Debt of \$21 million in 2023 +/-
 - Board - call provision on debt after 2023

Budget Assumptions

Revenues

- No water rate increase
- Normal year hydroelectric revenues
- Water sales
- Annexation revenue from 2016

Expenses

- Manpower increase (net +1)
- Moderate wage & benefit increases
- On-farm conservation settlements
- Moderate increase to the Community Outreach program

Capital

- Rubicon TCC – Phase 1 (State matching funds)
- Start of new Two-Mile Bar Tunnel construction project (21 mos.)
- Equipment purchases (catch-up from cash-short years)

Revenue, Expenses & Changes in Net Assets

	2017 PROPOSED BUDGET	2016 BUDGET	2017 CHANGE FROM 2016 BUDGET
1 OPERATING REVENUES			
2 Water Revenue - Tier 1	\$2,403,300	\$2,627,900	(\$224,600)
3 Water Revenue - Tier 2	\$71,800	\$63,500	108,400
4 Water Sales, Losses & Cost of Outfall	5,060,000	9,269,000	(4,200,000)
5 Appurtenances Fees	1,822,000	1,822,000	0
6 Other	\$48,400	\$58,200	(9,800)
7 Total Operating Revenues	10,965,500	14,821,600	(4,326,000)
8 OPERATING EXPENSES			
9 Maintenance	5,586,300	6,032,500	65,800
10 Water Operations	3,021,600	2,969,600	22,000
11 General and Administration	4,708,700	2,831,500	2,075,800
12 Depreciation	2,446,800	2,512,600	(66,100)
13 Total Operating Expenses	15,773,100	14,076,000	2,097,100
14 Net Income (Loss) From Operations	(4,827,600)	\$845,600	(\$5,433,100)
15 NONOPERATING REVENUES (EXPENSES)			
16 County Property Tax Appropriations	2,279,000	2,000,000	279,000
17 Investments & Note Earnings	687,600	690,200	7,400
18 Investment Expense	(1,093,000)	(1,457,000)	364,000
19 Joint Venture Distributions	13,350,000	11,400,000	1,950,000
20 Total Nonoperating Revenues (Expenses)	15,223,600	12,633,200	2,526,400
21 Change in Net Position	\$10,602,100	\$13,478,800	(\$2,826,700)

Capital Expenditures & Debt

	2017 PROPOSED BUDGET
Capital Projects (rebuild & modernization)	\$13,530,000
Capital Purchases (i.e. equipment)	1,061,800
Bond Principal Payment	885,000
TOTAL CAPITAL EXPENDITURES	\$15,476,800

Cash & Investments

	(A)	(B)	(C)	(D)	(E)
	Actual 2015	Projected 12/31/16	Projected 12/31/17	Recommended Transfer to Reserves	Projected 12/31/17 after transfer
Operating Funds	\$ 8,479	\$ 22,856	\$ 27,541	\$18,500	\$ 8,041
Designated/Reserve Funds					
Rate Stabilization Reserve Fund	1,388	1,388	1,388	1,000	2,388
Operating Reserve Fund	3,738	3,738	3,738	-	3,738
Capital Replacement/Improvement	18,000	18,000	18,000	-	18,000
Main Canal and Tunnel	6,064	6,064	-	12,000	12,000
Vehicle and Equipment Replacement	487	487	487	400	887
Employee Compensated Absences	179	179	179	-	179
Building & Facilities Reserve	475	475	475	-	475
Rural Water	747	752	752	-	752
COP Reserve Fund (new)	-	-	-	6,100	6,100
Total Cash and Investments	\$ 41,557	\$ 55,039	\$ 52,560	-	\$ 52,560

Budget Overview

- No 2017 water rate increases
- Continued implementation of the Water Resources Plan
 - TCC Implementation with State matching funds
 - Start of the Two-Mile Bar Tunnel Project
- Includes Bond P&I payment—inclusive of 2016 refinancing
 - Projects debt service coverage ratio 7.0x, (requirement: 1.1x)
- Positive cash flow and strong financial reserves
 - Projected cash at December 31, 2017 to be \$53M (\$44M in Designated Reserve Funds)

Questions from the Board??

DISCUSSION ITEM

Date:	November 16, 2016
Item Number:	17
APN:	N/A

**SUBJECT: DISCUSSION ON BUSINESS ITEMS AS THEY APPEAR ON THE TRI-DAM BOARD
AGENDA FOR THURSDAY, NOVEMBER 17, 2016**

BACKGROUND AND DISCUSSION:

This item is here for general discussion on items that appear on the Tri-Dam Agenda. A copy of the Tri-Dam Agenda will be attached if available at the time of preparation of the Board packets. If it is not available, it can be viewed at the Tri-Dam web site or on the District's web site once received and posted.

ATTACHMENTS:

Board Comments:



COMMUNICATIONS

GENERAL MANAGER'S REPORT – Attached

WATER OPERATIONS REPORTS – None Attached

WATER COUNSEL'S REPORT – None Attached

COMMITTEE REPORTS – None Attached

DIRECTORS' COMMENTS/SUGGESTIONS – None Attached

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016

GENERAL MANAGER'S REPORT NOVEMBER 16, 2016

Safety Activities

1. OI has gone 23 days without a lost time injury accident.

Administration Activities

1. Water Fix testimony continues in Sacramento.
2. Water Quality Control Plan (Unimpaired Flow Standard) from the State Water Resources Control Board is still being reviewed for the finer details and impacts.
 - a. Meeting with Bureau of Reclamation on WQCP in next week.
 - b. Hearing dates Nov. 18th, 29th in Sacramento and Dec. 16th, 19th and 20th in Stockton, Merced and Modesto, respectively. A move afoot to get meetings rescheduled into January to avoid the Christmas holidays and impacts to people's lives who had holiday plans.
3. Settlement discussions on the Stanislaus River may pick up again in November. Awaiting guidance from State officials. Could consume lots of time in November and December.
4. OE3 labor negotiations continuing.
5. Still waiting for City of Oakdale's response on an Action Plan OI sent over.

Legal Activities

1. Agee vs OI: OI lost on its motion to recoup its attorney fees.
2. OI/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. Court date set for next summer.
3. OI/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. OI:
 - a. Trial set for January 18th
5. OI vs Directors Santos and Altieri.
 - a. The case is moving forward.
6. Redistricting Process
 - a. Process to begin after first of the year. Board presentation in February and Hearing in late February with Board adoption in March.
 - b. Regulatory compliance is 180 days preceding the election (May 11th)

Construction Activities

1. C&M crews and equipment operators have commenced the construction season. Projects are under way as well as maintenance tasks that could not be completed during the water season.
2. Assisting Water Ops./Eng. Dept. with various tasks.
3. Conducting Safety Coordinator tasks as needed.
4. Conducting Contract Administration tasks as needed.
5. Interviews for the C&M Worker & DSO/C&M continued until November 7th. Candidates will be selected for the positions and offered positions at the District.
6. Two Mile Bar Tunnel Project – Received all updated contract documents, technical specifications, Geotechnical Baseline Report and Design Report from Condor. Currently conducting a final document review before going to bid Dec. 1st.

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 installed as part of the 2016 ETAW monitoring and measurement program collected data through the end of October. The Dessert Research Institute stations were successfully removed on November 2nd and 3rd. The Tule ET stations may remain in the field to collect additional data for the full year of the contract period (+/- May 2016) pending permission and an updated contract with the associated landowners.
4. The monthly ESJGBA work group meeting was held on November 9th. Discussion of the draft JPA/MOU agreement discussions continued. The draft GSP BMPs were also presented and discussed.
5. Staff completed draft mapping of OID's proposed GSA boundaries in the ESJ GW Basin and forwarded to SSJID, Calaveras County Water District and Stanislaus County for review of the line work in adjoining areas. 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. The updated draft MOU regarding STRGBA GSA formation was presented with comments incorporated and discussed at the November 10th meeting. The final draft is anticipated to be brought to each agency's governing board prior to the end of the calendar year for approval.
7. A request for data from OID as well as from the STRGBA was rec'd by Stan. Co.'s consultant in support of the County's draft PEIR GW model development. Staff began to compile the data for submittal before the end of November deadline.
8. Staff is working on draft Annexation Agreements for final approval by the board. Unfortunately little progress has been made to date given the engineering department is temporarily shorthanded and the high priority of finalization of engineering plans for winter construction projects.
9. Pertinent factors and options for the Board of Director Divisions Redistricting Project will be brought back for consideration by the Board and subsequent staff direction no later than January to ensure completion prior to the next general election.
10. 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.
11. 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.
12. Staff continued the surveying, design, cost estimates, landowner meetings and drafting of plans for 2016/17 winter work projects.

Ag Water

1. The final round of volumetric water delivery tracking closed on October 31st. Standard QA/QC procedures for review of deliveries in this tracking period were completed to allow billing to proceed the first week of November.

2. The public comment period on the Prop. 1 grant funding draft awards list closed on September 14th. The final awards list is anticipated to be posted before the end of the year.
3. Interviews to fill a vacant DSO/C&M position were completed the week of November 7th. A letter of offer was provided to one of the applicants to fill the currently vacant position.
4. OID's preliminary district use numbers for the month of October were 13,704 ac-ft. OID's 10 year average water use in October is just over 10,000 ac-ft. Considering most years in the recent past water was only in the system for first half of the month, this was a pleasant surprise and some positive feedback from the growers was received.

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 Tuesday November 1st. No problems were detected.
 - All Domestic Water Pumping Stations that are in service are operational.
 - ID 51 pump station #2 had motor repaired as preventative maintenance.
3. Domestic Water Systems:
 - All water systems are operating without restrictions.
 - Performed quarterly blow-off valve exercising.
 - Performed Air Relief 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:
 - There are zero calls to report.
5. Knights Ferry Pumping Station:
 - The Knights Ferry Pumps are activated. The river pumps are providing water to the treatment plant.
6. Irrigation Pumping Stations:
 - WUD had been de-activating the Ag pumps for winter.
 - WUD will continue to perform inspections on all winter drain pumps that are in operation for the winter.

Finance Activities

1. Health Insurance Open Enrollment employee meetings were held on Friday, November 4, 2016. To date 14 out of 66 participants are moving to Sutter Health.
2. Finance Meeting was held on November 7, 2016 to review the draft 2017 budget. The committee made a couple of recommendations but otherwise approved the budget.
3. Assisting GM in OE3 labor negotiations.
4. The final volumetric billing for the 2016 irrigation season was mailed out on November 10th. The total revenue generated for the 8/1-10/31/16 period for Tier 1 customers was \$384,482, Tier 2 customers was \$238,572, and out-of-district customers was \$20,419.

5. The Flexible Spending Account program's open enrollment period will be December 1, 2016 – December 31, 2016.
6. Five Rejection of Claim and Settlement notices regarding On-Farm Conservation Program claims for damages were mailed out on November 9, 2016. ACWA JPIA has notified the District that this is not covered under the District's insurance.



CLOSED SESSION ITEMS

SPECIAL BOARD MEETING OF NOVEMBER 16, 2016