

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 following 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