

**AGENDA
OAKDALE IRRIGATION DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING
SEPTEMBER 12, 2023**

A complete copy of the Agenda packet will be available on the Oakdale Irrigation District website www.oakdaleirrigation.com

If you would like to join the meeting virtually instead of in person, please see the below options:

- [To join the meeting via teleconference](#), click [HERE](#) or go to www.oakdaleirrigation.com and select "View Meetings Online".
- [To participate in the meeting via telephone](#), dial in at 1 (669) 900-9128, Access Code: 358-572-1867 #, the message will ask for a participant ID, just press # again. If you experience technical difficulties, please contact our IT Systems Administrator Michael Ballinger at (209) 896-6887.

Public comments may be submitted in advance via email to smoody@oakdaleirrigation.com no later than 4:30 p.m. on the day before the meeting. If you wish to make public comments during the live teleconference, you may alert the Board President at the time public comments are called for. Pursuant to Government Code section 54954.3(b)(1), public comment on an Agenda Item is limited to five (5) minutes.

CALL TO ORDER: 9:00 a.m. District Office Boardroom
1205 East F Street, Oakdale, California

PLEDGE OF ALLEGIANCE

ROLL CALL: Brad DeBoer, Herman Doornenbal, Tom Orvis, Linda Santos, Ed Tobias

ADDITIONS OR DELETION OF AGENDA ITEMS

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

PUBLIC COMMENT: The Board of Directors welcomes participation in its 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.

Because matters being discussed are not on the agenda there should be no expectation of discussion or comment by the Board except to properly refer the matter for review or action as appropriate. Matters concerning District operations or responsibilities can be addressed prior to Board meetings by contacting District Management or Directors. In this manner, your concerns can be addressed expeditiously.

The Oakdale Irrigation District Board pledges to be respectful, truthful, knowledgeable, productive and unified in conducting the people's business. The Board believes in conducting its business using respectful and civil dialogue and would request that the public conduct itself in a similar fashion in their presentations. Disrespectful and threatening behavior will not be tolerated.

It is not required, but speakers may provide their name and address. Public Comments will be limited to five minutes per speaker

A. Closed Session:

- 1 Government Code §54956.9(d)(2) – Potential Exposure to Litigation – 1 case

B. Consent Calendar:

	Page No.
2 Approve the Board of Directors Minutes of the Regular Meeting of August 1, 2023	4
3 Approve Oakdale Irrigation District's Statement of Obligations	10
4 Approve OID Improvement Districts' Statement of Obligations	16
5 Approve Rejection of Claim Submitted by Bounsack Sengphachanh	19
6 Approve Rejection of Claim Submitted by B&D Law Group, APLC on behalf of Keira Hernandez	21
7 Approve Rejection of Claim Submitted by Aiman-Smith & Marcy on behalf of Cari McCormick	24
8 Approve Board attendance at the 2023 ACWA Fall Conference and Expo November 28 th through 30 th , 2023 in Indian Wells, California	76
9 Approve the Treasurer's Report and Financial Statements for The Seven Months Ending July 31, 2023	78
10 Approve Purchase of One (1) 2024 Three Axle Class Eight Dump Truck from Interstate Truck Center	105
11 Approve temporary entry permit with Bureau of Reclamation for gravel injection	112

C. Action Calendar:

	Page No.
12 Review and take possible action to award bid to Njirich & Sons Inc., as the lowest responsive and responsible bidder for the North Main Canal Tunnels 3 & 4 Rehabilitation Project and authorize General Manager to execute associated change orders	118
13 Review and take possible action to approve Work Release No. 45 to Professional Services Agreement 2009-PSA-001 with Provost & Pritchard, Inc. to provide construction management and Quality Assurance Services for the Oakdale Irrigation District North Main Canal Tunnels 3 & 4 Rehabilitation Project	126
14 Review and take possible action regarding OID Potentially Joining the Valley AG Water Coalition	130
15 Review and take possible action to adopt a resolution authorizing the disposal of property no longer necessary for district purposes and authorizing staff to proceed with sale of APN	150

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|----|---|------------|
| 16 | Review and take possible action to approve revisions to the OID Rules and Regulations | 154 |
| 17 | Review and take possible action to continue to provide irrigation water after the end of the water year on September 30, 2023 to in-district lands only | 162 |
| 18 | Review and take possible action regarding OID potentially granting the Me-Wuk Tribe an extension of time to complete CEQA in our Water Transfer Agreement | 166 |
| 19 | Review and take possible action regarding OID potentially sponsoring the Magnolia Elementary School 4 th Grade class to view the salmon run at Knights Ferry | 171 |

D. Communications:

- 20 Directors' Comments/Suggestions
- 21 Committee Reports
- 22 General Manager's report on the status of OID activities
- 23 Water Counsel report

E. Closed Session:

- 24 Government Code §54956.9(d)(2) – Potential Exposure to Litigation – 2 cases
- 25 Government Code §54956.9(d)(2) – Personnel Evaluation (two items)

F. Adjournment:

- The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, October 3, 2023, at 9:00 a.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 Project** and **Tri-Dam Power Authority** and other joint business matters is scheduled for **Thursday, September 21, 2023, at 9:00 a.m.** at the office of Oakdale Irrigation District, 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 Executive 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 Executive 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 COMMENT

BOARD MEETING OF SEPTEMBER 12, 2023



CLOSED SESSION ITEMS

BOARD MEETING OF SEPTEMBER 12, 2023



AGENDA ITEMS ACTION CALENDAR

BOARD MEETING OF SEPTEMBER 12, 2023

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 2
Staff: Scot A. Moody

SUBJECT: APPROVE THE BOARD OF DIRECTORS MINUTES OF THE REGULAR MEETING OF AUGUST 1, 2023

RECOMMENDED ACTION: Approve the Board of Directors Minutes of the Regular Meeting of AUGUST 1, 2023

ATTACHMENTS:

- Draft Minutes of the Board of Directors' Meeting of August 1, 2023

Board Motion:

Motion by: _____ Second by: _____

VOTE:

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

MINUTES

Oakdale, California
August 1, 2023

The Board of Directors of the Oakdale Irrigation District invited all to recite the Pledge of Allegiance and then met in Session at the hour of 9:00 a.m. Upon roll call, there were present:

Directors: Tom Orvis, President
Brad DeBoer, Vice President
Linda Santos
Ed Tobias

Staff Present: Scot A. Moody, General Manager/Secretary
Sharon Cisneros, Chief Financial Officer
Kim Bukhari, Human Resources Administrator
Eric Thorburn, District Engineer/Water Operations Manager
(via Zoom)
Joe Kosakiewicz, Construction and Maintenance Manager
Michael Ballinger, IT Systems Administrator

Also Present: Tim O'Laughlin, Water Counsel (via Zoom)
Fred Silva, General Counsel

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:00 a.m., the Board welcomed public comment.

PUBLIC COMMENT

There was no public comment.

Public Comment closed at 9:02 a.m. and the Board Meeting continued.

CONSENT CALENDAR **ITEM NOS. 1-4**

- 1 Approve the Board of Directors Minutes of the Regular Meeting of July 11, 2023
- 2 Approve Oakdale Irrigation District's Statement of Obligations
- 3 Approve OID Improvement Districts' Statement of Obligations
- 4 Adopt the Resolution with San Joaquin County for Placement of Delinquent Fixed Charges on the 2023/2024 Tax Rolls

A motion was made by Director Santos, and seconded by Director Tobias, to approve the above noted Consent Calendar items:

Director Orvis	Yes
Director DeBoer	Yes
Director Santos	Yes
Director Tobias	Yes

The motion passed by a 4-0 vote.

ACTION CALENDAR **ITEM NOS. 5 and 6**

Item No. 5

Review and Take Possible Action to Approve the Treasurer's Report, the mid-year budget report and Financial Statements for the Six Months Ending June 30, 2023

A motion was made by Director Santos, and seconded by Director DeBoer, to approve the Treasurer's Report, the mid-year budget report and Financial Statements for the Six Months Ending June 30, 2023:

Director Orvis	Yes
Director DeBoer	Yes
Director Santos	Yes
Director Tobias	Yes

The motion passed by a 4-0 vote.

Item No. 6

Review and Take Possible Action regarding sponsorship of the Children's Guardian Home

A motion was made by Director DeBoer, and seconded by Director Santos, to approve sponsoring the Annual Children's Guardian Home:

Director Orvis	Yes
Director DeBoer	Yes
Director Santos	Yes
Director Tobias	Yes

The motion passed by a 4-0 vote.

PRESENTATION **ITEM NO. 7**

Presentation from Construction and Maintenance Manager Regarding Activities of the Department

A Powerpoint presentation was given by Joe Kosakiewicz regarding activities of the Construction and Maintenance department.

Director Orvis requested that the Powerpoint be e-mailed to the Directors. Director Orvis also suggested maybe use of drone footage in the future.

Director DeBoer inquired as to Manager Kosakiewicz's biggest challenge in the Construction and Maintenance department.

COMMUNICATIONS

ITEM NOS. 8 - 11

Item No. 8

Directors' Comments/Suggestions

Director Orvis:

Director Orvis welcomed Julie Hassell to OID as the new Executive Assistant/Clerk to the Board. Director Orvis requested that the Board receive a copy of the Construction and Maintenance Manager's presentation. Director Orvis further mentioned that the Day Use area of Tulloch is now open. Additionally, Director Orvis mentioned to build on some things – opportunity for Boards to speak to each other.

Director Tobias:

Director Tobias felt sponsorship of Item No. 6 should be cut back to \$1,250. Director Tobias expressed his appreciation for Manager Kosakawiecz's presentation to the Board. Director Tobias further mentioned a long discussion was had at Tri-Dam regarding insurance issues and the Boards came to an agreement.

Director DeBoer:

Director DeBoer agreed to sponsor Item No. 6 subject to General Manager Scot Moody clarifying how OID would be presented at the event. Director DeBoer expressed he feels we have a great staff here. Director DeBoer thanked Chief Financial Officer Cisneros for her presentation to the board regarding Item No. 8. Director DeBoer also suggested maybe having sub-contractors in place to help with short-staffing issues.

Director DeBoer suggested placing the audio recording of Item No. 7 on the website and also suggested that there be a presentation at Tri-Dam regarding new laws.

Director DeBoer further mentioned to always be mindful of our constituents.

Director Santos:

Director Santos stated that low-income families may not understand sponsorship and to keep in mind for all sponsoring in the future.

Director Santos expressed that the weekly sheets presented by the Construction and Maintenance department have been extremely helpful and familiarizes her with both the crews and their responsibilities. Director Santos also mentioned that she appreciated the visual pictures. This gives a better understanding of what is involved in the projects. Director Santos presented the question to Joe Kosakiewicz to clarify what the Pest area handles.

Finally, Director Santos thanked both Joe and Sharon and expressed that she likes the Work Order setup and suggested that we all continue to work towards the same goal.

Item No. 9
Committee Reports

Director Tobias:

Director Tobias discussed attendance at the Tri-Dam Advisory meeting wherein there was a legal discussion regarding representation.

General Manager Moody:

General Manager Moody conveyed some of the obstacles Summer has been working on recently. She is entertaining the idea of a consortium to direct specialized counsel/attorney. It was mentioned to possibly entertain the idea of specialized counsel regarding electricity.

Item No. 10
General Manager's report on the status of OID activities

Scot Moody, General Manager, gave an update regarding water accounting framework (related to San Joaquin Basin). This will quantify who owns what and who pumps what. GM Moody also mentioned that the GSP was accepted by the State Board and that Stanislaus is due next year. Additionally, GM Moody brought up the strategy of potentially keeping dump trucks in-house for cost-saving purposes.

GM Moody recommended to Manager Kosakawiecz that he give presentation to his crew members as well.

GM Moody informed the Board that he and a team have been working on updating personnel policies and if the Board wants to take the revisions to committee, etc., there can be a discussion.

Item No. 11
Water Counsel Report

There was no report from Water Counsel.

At 10:46 a.m., President Orvis read the items to be discussed in closed session and opened for public comment on these items.

There was no public comment.

At the hour of 10:47 a.m. public comment closed, the Board took a recess and reconvened to closed session at 10:55 a.m.

CLOSED SESSION
ITEM NO. 12

- 12 Government Code §54956.9(d)(1) – Existing Litigation – 2 cases
San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board, County of Sacramento Superior Court, Case No. JCCP 5013

Attorney Tim O’Laughlin joined via telephone and left at 11:26 a.m.

President Orvis mentioned the next Tri-Dam meeting will be held at SSJID in Manteca on August 17, 2023. President Orvis also mentioned that due to the Labor Day holiday, the next Regular Board Meeting is scheduled for Tuesday, September 12, 2023 at 9:00 a.m.

(Director Tobias left the board room at 11:30 a.m.)

At the hour of 11:43 a.m. the board reconvened to open session

Coming out of Closed Session, President Orvis stated there were no reportable actions:

OTHER ACTION

At the hour of 11:44 a.m. the meeting was adjourned. The next Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, September 12, 2023, at 9:00 a.m.** Details can be obtained by calling (209) 847-0341.

The next Joint Board Meeting of the South San Joaquin and Oakdale Irrigation Districts serving the Tri-Dam Project and Tri-Dam Authority and other joint business matters is scheduled for **Thursday, August 17, 2023, at 9:00 a.m.** at the office of Tri-Dam, Manteca CA.

Attest:

Thomas D. Orvis, President
Board of Directors

Scot A. Moody
General Manager/Secretary

BOARD AGENDA REPORT

Date: September 12, 2023
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>
IRS	Payroll Taxes	\$ 130,360.23
PG&E	Electricity – July	89,072.03
CalPERS	Retirement Contribution	86,649.88
Kaiser	Healthcare Insurance – September	51,620.17
Alligare LLC	Magnacide H	46,836.96
Sutter Health Plus	Healthcare – September	43,305.96
Provost & Pritchard Consulting Group	WR# 035 and WR# 039	31,783.43
Steve Harkrader Trucking	Hauling Dirt Services	28,902.75
South San Joaquin Irrigation District	WR# 1902	27,443.60
EDD	Payroll Taxes	24,423.97
	Other Obligations:	371,367.52
	Total Obligations:	\$ 931,766.50

FISCAL IMPACT: \$931,766.50

ATTACHMENTS:

- Statement of Obligations – Check Register

Board Motion:

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

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

OAKDALE IRRIGATION DISTRICT

**STATEMENT
OF
OBLIGATIONS**

9/12/2023

Accounts Payable

Check Register - July 26, 2023 - August 27, 2023



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
7/26/2023	33514	Blase, Jimmy	\$ 34.98	Emergency Call Mileage Reimbursement
7/30/2023	730231	Samba Holdings, Inc.	195.02	Fleet Watch - June
7/31/2023	731231	Internal Revenue Service	5,288.52	Payroll Taxes
7/31/2023	731232	Employment Development Department	1,236.24	Payroll Taxes
7/31/2023	731233	California Public Employees' Retirement System	449.20	Retirement Contribution
7/31/2023	731234	VOYA Retirement	323.06	Retirement Contribution
7/31/2023	731236	Clover Services	44.95	Monthly Subscription - August
7/31/2023	731237	Modesto Irrigation District	1,271.48	Electricity - July
8/1/2023	801231	Internal Revenue Service	1,070.81	Payroll Taxes
8/1/2023	801232	Employment Development Department	37.44	Payroll Taxes
8/4/2023	804231	Internal Revenue Service	60,035.58	Payroll Taxes
8/4/2023	804232	ICMA Retirement	4,261.47	Retirement Contribution
8/4/2023	804233	Employment Development Department	11,015.65	Payroll Taxes
8/4/2023	804235	VOYA Retirement	9,496.39	Retirement Contribution
8/4/2023	804237	CalPERS	42,590.78	Retirement Contribution
8/7/2023	807231	Internal Revenue Service	467.09	Payroll Taxes
8/7/2023	807232	California Public Employees' Retirement System	276.95	Retirement Contribution
8/7/2023	807233	Employment Development Department	94.05	Payroll Taxes
8/7/2023	807234	VOYA Retirement	297.39	Retirement Contribution
8/7/2023	807236	California Public Employees' Retirement System	700.00	Retirement Contribution
8/7/2023	807239	Visa	4,252.33	2023 Annual CSDA Conference, AC Unit, Door, Drywall and Shelves
8/8/2023	33515	Ace Hardware	84.80	Bolts, Handy Boxes, Wire and Compound Premix
8/8/2023	33516	ACWA-JPIA	9,870.44	Dental and Vision Insurance - September
8/8/2023	33517	Airgas USA, LLC	488.51	Cylinder Rental, Nitrogen, Acetylene and Oxygen
8/8/2023	33518	Alligare LLC	46,836.96	Magnacide H
8/8/2023	33519	All Rigging Company	452.52	Slings
8/8/2023	33520	Amazon Capital Services	1,066.51	Converters, Sanitizer Pellets, Fan and Cable Hooks
8/8/2023	33521	Ameriflex	1,641.24	FSA-125
8/8/2023	33522	Applied Technology Group, Inc.	72.04	Cable
8/8/2023	33523	Ardurra Group, Inc.	1,555.00	Monument Preservation
8/8/2023	33524	California Special Districts Association	625.00	2023 Board Secretary/Clerk Conference - Julie Hassell
8/8/2023	33525	California State Disbursement Unit	533.53	Levy
8/8/2023	33526	Casey Records Management	216.00	Shredding Services - July
8/8/2023	33527	Central Irrigation Modesto, LLC	1,442.29	Adapters, Reducers, Cap and Couplers
8/8/2023	33528	Chicago Title Co.	76.00	Refund For: 6460 Lon Dale Rd Oakdale
8/8/2023	33529	City of Oakdale Utilities	9,103.23	Water Usage
8/8/2023	33530	Coelho, Frank	45.00	Productivity Enhancement Certificates
8/8/2023	33531	Colonial Life	2,712.26	Supplemental Insurance - July
8/8/2023	33532	Comcast	424.55	Analog Lines, TV and Internet - July
8/8/2023	33533	Consumers Choice Pest Control	85.00	Pest Control Services
8/8/2023	33534	Cooley, Tyler	1,250.00	2022 - 2023 Scholarship Award
8/8/2023	33535	Cutting Edge Supply	1,255.66	Blades and Bolts
8/8/2023	33536	Far West Laboratories, Inc.	493.00	Bac-T and Coliform Testing - May
8/8/2023	33537	Frasco Profiles	255.75	Background Check
8/8/2023	33538	Fresno Valves & Castings, Inc.	602.85	Air Vents, Top, Gasket and Bolts
8/8/2023	33539	George Reed, Inc.	23,371.22	AB-CL II and 18" Minus
8/8/2023	33540	Gilton Solid Waste Management, Inc.	438.15	Refuse Charges - July
8/8/2023	33541	Grainger	103.52	Louver Plate Kit
8/8/2023	33542	Grover Landscape Services, Inc.	567.10	Landscaping Services - July
8/8/2023	33543	Haidlen Ford	2,183.74	DEF, Ball Joint, Water Pump Kit and Condenser
8/8/2023	33544	Holt of California, Inc.	2,237.85	Wiper Motor, Latch Assembly, Sensor and Seals
8/8/2023	33545	Hunt & Sons Inc.	16,242.67	Fuel
8/8/2023	33546	Interstate Truck Center	324.23	Mud Flaps, Flex Pipe and Clamps
8/8/2023	33547	Kaiser Foundation Health Plan, Inc.	51,620.17	Healthcare Insurance - September
8/8/2023	33548	Liebert Cassidy Whitmore	5,805.00	Personnel Rules Update 2022
8/8/2023	33549	Lincoln National Life Insurance Company	644.49	Life Insurance - August
8/8/2023	33550	The McClatchy Company, LLC	1,410.00	Social Media Recruitment For DSO, C&M and Accountant Position
8/8/2023	33551	Mission Uniform Service	863.37	Uniform Services
8/8/2023	33552	Moore Quality Galvanizing L.P.	454.16	Pipe Rails and Covers
8/8/2023	33553	Morrill Industries, Inc.	1,260.13	Couplers
8/8/2023	33554	NBS	2,368.75	Irrigation CAP Study - July
8/8/2023	33555	Next Level Parts, Inc.	129.33	Fittings and Kitty Litter
8/8/2023	33556	North Coast Laboratories Ltd.	820.00	Aquatic Pesticide Water Samples
8/8/2023	33557	Oakdale Garden Club	50.00	2023 Autumn Garden Tour Donation

Accounts Payable

Check Register - July 26, 2023 - August 27, 2023



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
8/8/2023	33558	Oakdale Leader	727.20	Notice Of Bids For North Main Segment 1 Project
8/8/2023	33559	ODP Business Solutions LLC	621.35	Office Supplies
8/8/2023	33560	Cash	158.33	San Joaquin Farm Bureau Meeting and Lunch Meetings
8/8/2023	33561	Ontel Security Services, Inc.	275.00	Security Monitoring - July
8/8/2023	33562	Pakmail	455.51	Shipping and Notary Services
8/8/2023	33563	Pape Kenworth	449.17	Filters, Clamp and Bushings
8/8/2023	33564	Pape Machinery - Power Plan	57.43	Fuses and Relays
8/8/2023	33565	P&D Ventures Inc.	2,383.21	Janitorial Services - August
8/8/2023	33566	Portola Systems, Inc.	8,284.00	HPE Nimble Storage Warranty Renewal
8/8/2023	33567	Provost & Pritchard Consulting Group, Inc.	31,783.43	WR# 035 and WR# 039
8/8/2023	33568	Safe-T-Lite of Modesto, Inc.	405.72	Lathes and Guineas
8/8/2023	33569	San Joaquin Valley Air Pollution Control District	290.00	2023/2024 Annual Generator Permit-Facility ID N4762
8/8/2023	33570	Santos, Linda	134.50	2023 Water Users Conference Meal Reimbursement
8/8/2023	33571	Sheldon, Emily	1,429.78	Hotel and Mileage Reimbursement for the ERSI User Conferenece
8/8/2023	33572	Snap-on Industrial	61.28	Lead Set
8/8/2023	33573	Stanislaus County Tax Collector	314.82	Assessment: 6000 Albers Rd.
8/8/2023	33574	Steve Harkrader Trucking	28,902.75	Hauling Dirt Services
8/8/2023	33575	Streamline	497.00	Member Web Services - August
8/8/2023	33576	Sutter Health Plus	43,305.96	Healthcare Insurance - September
8/8/2023	33577	Teter, LLP	23,342.50	WR# 003
8/8/2023	33578	Tim O'Laughlin A Professional Law Corporation	3,600.00	Legal Matters
8/8/2023	33579	TP Express	2,475.00	Regular and Single Restrooms - August
8/8/2023	33580	Tri-West Tractor Incorporated	2,706.74	Elements, Bucket Pins and Sensor Assembly
8/8/2023	33581	Marting, Jonathan & Debbie	46.07	Refund Check
8/8/2023	33582	UBEO Business Services	544.24	Copier Usage
8/8/2023	33583	Underground Service Alert of Northern California	4,244.34	2023 Membership Renewal and Cal State Fee For Regulatory Costs
8/8/2023	33584	United Rentals Northwest, Inc.	519.90	Vacuum Trailer Rental
8/8/2023	33585	Valley Tire Sales, Inc.	4,928.80	Tires
8/8/2023	33586	Valley View Plumbing	250.00	Sewer System Clean Out
8/8/2023	33587	Verizon	1,498.95	Vehicle Tracking Services - July
8/14/2023	814231	AmeriFlex	305.50	FSA Admin Fees - August
8/15/2023	815231	Internal Revenue Service	5,037.01	Payroll Taxes
8/15/2023	815232	VOYA Retirement	230.78	Retirement Contribution
8/15/2023	815233	Employment Development Department	1,340.53	Payroll Taxes
8/18/2023	818231	Internal Revenue Service	58,461.22	Payroll Taxes
8/18/2023	818232	Employment Development Department	10,700.06	Payroll Taxes
8/18/2023	818233	VOYA Retirement	9,142.09	Retirement Contribution
8/18/2023	818234	ICMA Retirement	4,261.47	Retirement Contribution
8/21/2023	33588	Aarons Heating & Air Inc.	165.00	Day Room A/C Repair
8/21/2023	33589	Ace Hardware	141.33	Paint, Sprayer and Insect Killer
8/21/2023	33590	All Rigging Company	225.27	Sling and Anchor Shackles
8/21/2023	33591	Amazon Capital Services	383.92	Shelf, Power Strip and Screwdriver Set
8/21/2023	33592	Ameriflex	1,481.24	FSA-125
8/21/2023	33593	Ardurra Group, Inc.	225.00	WR# 02
8/21/2023	33594	Sierra Mountain Construction, Inc.	474.72	AR Refund
8/21/2023	33595	Bobcat Central, Inc.	468.83	Tee, Stop Tube and Gas Springs
8/21/2023	33596	Bumgardner Biological Consulting, Inc.	875.00	WR# 01
8/21/2023	33597	California State Disbursement Unit	533.53	Levy
8/21/2023	33598	Central Valley Ag Grinding, Inc.	242.00	Green Waste - July
8/21/2023	33599	Central Irrigation Modesto, LLC	5,606.72	Pipe, Elbows, Reducers and Tees
8/21/2023	33600	Children's Guardian Fund	1,250.00	2023 Children's Guardian Home Sponsorship
8/21/2023	33601	Coffee Break Service, Inc.	190.00	Coffee Services
8/21/2023	33602	Comcast Business	398.45	Office Phone Charges - July
8/21/2023	33603	CoreLogic Solutions, LLC	300.50	Real Quest - July
8/21/2023	33604	Core & Main LP	7,750.28	Gates
8/21/2023	33605	Damrell, Nelson, Schrimp, Pallios, Pacher & Silva	9,396.00	Legal Matters
8/21/2023	33606	Far West Laboratories, Inc.	648.00	Bac-T, Nitrate and VOC Testing
8/21/2023	33607	Fastenal Company	2,556.99	Flap Disks, Bins, Zip Ties, Drill Bits, Marine Seal and Batteries
8/21/2023	33608	First American Title Company	65.00	Refund: 24900 Dodds Rd, Oakdale
8/21/2023	33609	Fresno Valves & Castings, Inc.	1,120.16	Canal Gate
8/21/2023	33610	George Reed, Inc.	379.10	18" Minus
8/21/2023	33611	George W. Lowry, Inc.	4,551.97	Oil
8/21/2023	33612	Gilton Resource Recovery Transfer Facility, Inc.	22,337.16	Green, Solid and Concrete Waste - July
8/21/2023	33613	Gilton Solid Waste Management, Inc.	524.95	Refuse Charges - July

Accounts Payable
Check Register - July 26, 2023 - August 27, 2023



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
8/21/2023	33614	Gold Star Painting	11,260.00	WR# 01
8/21/2023	33615	Haidlen Ford	2,268.46	Ball Joints, Filters, Elements, Sensors and Brake Pads
8/21/2023	33616	Holt of California, Inc.	244.26	Pump and Door Pin Assembly
8/21/2023	33617	Ketchum Jr., Castle	30.52	On-Call Mileage Reimbursement
8/21/2023	33618	Liebert Cassidy Whitmore	3,153.19	General Services and Personnel Rules Update 2022
8/21/2023	33619	Mission Uniform Service	806.89	Uniform Services
8/21/2023	33620	Morrill Industries, Inc.	5,794.01	Couplers
8/21/2023	33621	Motor Parts Distributors, Inc.	468.39	Oil
8/21/2023	33622	NBS	2,000.00	Irrigation COS Study - July
8/21/2023	33623	Next Level Parts, Inc.	402.91	Battery, Switch, Belts, Hoses and Filter
8/21/2023	33624	North Coast Laboratories Ltd.	620.00	Aquatic Pesticide Water Samples
8/21/2023	33625	Oakdale Leader	30.00	2023 Community Awareness - Back To School
8/21/2023	33626	ODP Business Solutions LLC	688.00	Toner and Office Supplies
8/21/2023	33627	OID Improvement Districts	22,832.80	July 2023 Reimbursement
8/21/2023	33628	Operating Engineers Union Local No. 3	3,264.00	Union Dues
8/21/2023	33629	P G & E	89,072.03	Electricity - July
8/21/2023	33630	Pacific Bay Equipment	113.28	Gun and Lance Combo
8/21/2023	33631	Pakmail	378.42	Notary and Shipping Services
8/21/2023	33632	Pape Kenworth	809.45	Wiper Arm, Headlight and Glass Mirror Assembly
8/21/2023	33633	Pape Machinery - Power Plan	546.07	Solenoid
8/21/2023	33634	P & L Concrete Products, Inc.	138.78	Concrete
8/21/2023	33635	South San Joaquin Irrigation District	27,443.60	WR# 1902
8/21/2023	33636	Springbrook Holding Company, LLC	152.00	Civic Pay - July
8/21/2023	33637	Stanislaus County Farm Bureau	250.00	2023 Spray Safe Sponsorship
8/21/2023	33638	Sutter Gould Medical Foundation	282.00	Pre-Employment Medical Exams
8/21/2023	33639	Target Specialty Products	15,786.79	Round Up and Capstone
8/21/2023	33640	Tri-West Tractor Incorporated	3,868.83	Bucket Pins, Cutting Teeth and Elements
8/21/2023	33641	United Rentals Northwest, Inc.	3,727.99	Chipper and Vacuum Trailer Rental
8/21/2023	33642	UPL NA Inc.	23,999.91	Cascade
8/21/2023	33643	Valley Tire Sales, Inc.	5,428.61	Tires
8/21/2023	33644	Verizon Wireless	3,146.96	Cell phone and Ipad Charges - July
8/21/2023	33645	Whip Around, Inc.	7,053.46	Vehicle Maintenance Renewal
8/21/2023	33646	White Cap Construction Supply	747.78	Extension Ladder and Swellstop Rolls
8/21/2023	33647	Wienhoff Drug Testing, Inc.	340.00	Random Drug Testing
8/23/2023	823231	California Public Employees' Retirement System	42,632.95	Retirement Contribution
			<u>\$ 931,766.50</u>	

OAKDALE IRRIGATION DISTRICT
STATEMENT OF OBLIGATIONS
9/05/2023

Voided Check:

THE FOREGOING CLAIMS, NUMBERED 33514 THROUGH 33647, 730231, 731231 THROUGH 731237, 801231 THROUGH 801232, 804231 THROUGH 804235, 804237, 807231 THROUGH 807234, 807236, 807239, 814231, 815231 THROUGH 815233, 818231 THROUGH 818234, 823231. INCLUSIVE ARE APPLIED TO THE GENERAL FUND OF OAKDALE IRRIGATION DISTRICT AND ARE OBLIGATIONS AUTHORIZED THERETO.

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 4
APN: N/A

SUBJECT: APPROVE OID IMPROVEMENT DISTRICTS' STATEMENT OF OBLIGATIONS

RECOMMENDED ACTION: Approve OID Improvement Districts' Statement of Obligations

<u>Vendor</u>	<u>Purpose</u>	<u>Amount</u>
Oakdale Irrigation District	July O & M Expenses	\$ 33,800.06

Total Obligations: \$ 33,800.06

FISCAL IMPACT: \$33,800.06

ATTACHMENTS:

- Statement of Obligations – Accounts Payable

Board Motion:

Motion by: _____ Second by: _____

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

**OAKDALE IRRIGATION DISTRICT
IMPROVEMENT DISTRICT ACCOUNT**

0163

DATE: 8/22/2023		TO: Oakdale Irrigation District			
MAINTENANCE PAYABLE					
I.D. #	July O & M Expense	I.D. #	July O & M Expense		
1		31			Note: Included Misc. Recon. Items
2		36			
8		38			
13		41	8,720.83		
19	25.71	45	4,237.81		
20		46	10,992.25		
21		48	76.71		
22	1,598.13	51	8,116.06		
26		52			
29	32.56				
SUB-TOTAL	\$1,656.40	SUB-TOTAL	\$32,143.66	SUB-TOTAL	\$0.00
			VOUCHER CHARGES		
			Maintenance & Operations		\$33,800.06
			Prepaid Expense		\$0.00
			TOTAL AMOUNT		\$33,800.06

**OAKDALE IRRIGATION DISTRICT
IMPROVEMENT DISTRICTS
STATEMENT OF OBLIGATIONS
FOR JANUARY 1, 2023 - AUGUST 22, 2023**

CHECK NO.	PAYABLE TO:	AMOUNT	DATE
0154	VOID		
0155	OAKDALE IRRIGATION DISTRICT	\$ 14,783.32	02/01/2023
0156	OAKDALE IRRIGATION DISTRICT	7,935.11	03/01/2023
0157	OAKDALE IRRIGATION DISTRICT	11,164.85	03/29/2023
0158	VOID		
0159	OAKDALE IRRIGATION DISTRICT	10,830.95	04/26/2023
0160	OAKDALE IRRIGATION DISTRICT	12,444.29	05/24/2023
0161	OAKDALE IRRIGATION DISTRICT	30,350.19	06/29/2023
0162	OAKDALE IRRIGATION DISTRICT	23,779.27	07/19/2023
0163	OAKDALE IRRIGATION DISTRICT	33,800.06	08/22/2023

THE FOREGOING CLAIM NUMBERED 0163 WERE APPLIED TO
GENERAL FUNDS OF THE OAKDALE IRRIGATION'S IMPROVEMENT
DISTRICTS AND ARE AUTHORIZED THERETO.

BOARD AGENDA REPORT

Date:	September 12, 2023
Item Number:	5
APN:	N/A

SUBJECT: APPROVE REJECTION OF CLAIM SUBMITTED BY BOUNSACK SENGPHACHANH

RECOMMENDED ACTION: Reject the claim and forward to ACWA JPIA for further action

BACKGROUND AND/OR HISTORY:

This claim is associated with damage to private pond that occurred on July 31, 2023. The claim form submitted by claimant is attached for your reference.

Staff recommends rejecting the claim and forwarding it to ACWA JPIA for resolution.

A rejection by the Board is not a statement that it disagrees with the claim nor is it an admission of fault.

FISCAL IMPACT: Unknown

ATTACHMENTS:

- Claim Form

Board Motion:

Motion by: _____ Second by: _____

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

Claim Form

RECEIVED

(A claim shall be presented by the claimant or by a person acting on his behalf.)

AUG 02 2023

NAME OF DISTRICT:

OAKDALE ID

1 Claimant name, address (mailing address if different), phone number, social security number, e-mail address, and date of birth.
Effective January 1, 2010, the Medicare Secondary Payer Act (Federal Law) requires the District/Agency to report all claims involving payments for bodily injury and/or medical treatments to Medicare. As such, if you are seeking medical damages, we **MUST** have both your Social Security Number and your date of birth.

Name: BOUNSACK SENGPHACHANTH

Phone Number: (209) 918-5786

Address(es): 30109 E. Grooms rd

Social Security No.:

OAKDALE, CA 95361

Date of Birth: 8-5-71

E-mail: BS2864@Jcloud.com

2 List name, address, and phone number of any witnesses.

Name: KHAM SIVONGXAY

Address: SAME AS ABOVE

Phone Number: (209) 380-4405

3 List the date, time, place, and other circumstances of the occurrence or transaction, which gave rise to the claim asserted.

Date: 7.31.23 Time: 9:30 am Place: backyard pond

Tell What Happened (give complete information):

I WENT TO THE POND THIS MORNING AND I NOTICED THAT IT WAS CLEAR AND I COULD SEE THE BOTTOM. I THOUGHT THAT WAS STRANGE SO I WALKED AROUND MY POND AND I NOTICED THAT I HAVE DEAD FISHES AND I JUST GOT WATER ON LAST THURSDAY AT 12:30 AM. SO I CONTACTED MY DITCH ATTENDER AND ASKED HIM IF THEY PUT A CHEMICAL IN THE LINE AND HE STATED THAT THEY DID! HE CALLED HIS SUP. AND HE CAME OVER. HE TOOK PICTURES

NOTE: Attach any photographs you may have regarding this claim.

4 Give a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.

ONLY LOSSES ARE FISHES, SNAILS, CRAWDADS AND 15 KOI FISHES.

I JUST WANT MY POND STOCK AGAIN WITH FISHES THAT I HAD.

BLUE GILLS, SUNFISH, MINOWS, SNAILS, AND KOI, CRAWDADS THANK YOU

5 Give the name or names of the public employee or employees causing the injury, damage, or loss, if known.

NOT SURE

6 The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

LESS THEN 4000.00

Date: 7-31-23 Time: 1:00 pm

Signature:

Bounsack Sengphachanth

ANSWER ALL QUESTIONS. OMITTING INFORMATION COULD MAKE YOUR CLAIM LEGALLY INSUFFICIENT!

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 6
APN: N/A

SUBJECT: APPROVE REJECTION OF CLAIM SUBMITTED BY B&D LAW GROUP, APLC ON BEHALF OF KEIRA HERNANDEZ

RECOMMENDED ACTION: Reject the claim and forward to ACWA JPIA for further action

BACKGROUND AND/OR HISTORY:

This claim was filed on behalf of Keira Hernandez and is associated with bus accident that occurred on February 24, 2023. The claim submitted by claimant is attached for your reference.

Staff recommends rejecting the claim and forwarding it to ACWA JPIA for resolution.

A rejection by the Board is not a statement that it disagrees with the claim nor is it an admission of fault.

FISCAL IMPACT: Unknown

ATTACHMENTS:

- Claim Form

Board Motion:

Motion by: _____ Second by: _____

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200
LOS ANGELES, CALIFORNIA 90025
TEL: (310) 424-5252
FAX: (310) 492-5855

CLAIM FOR DAMAGES

(Government Code §911.2)

TO: THE OFFICE OF RISK AND INSURANCE MANAGEMENT OF THE OAKDALE IRRIGATION DISTRICT.

SENT VIA PRIORITY MAIL: 9470 1112 0620 3065 7197 23

Oakdale Irrigation District
Office of Risk Management
1205 East F Street
Oakdale, CA 95361

RE: Keira Hernandez
Date of Incident: 2/24/2023
Our File Number: 20970

Name of Claimant: Keira Hernandez

Mailing Address of Claimant: 30988 Lone Tree Rd.
Oakdale, CA 95361

Give Address to Which You Desire Notices or Communications to be Sent regarding this Claim: B&D LAW GROUP, APLC - 10700 Santa Monica Blvd., Ste. 200, Los Angeles, California 90025-4768

How Did Damage or Injury Occur? Give full particulars: Claimant Keira Hernandez was injured as a passenger on a school bus, when it was crossing a narrow canal bridge, swerved to avoid another vehicle approaching in the opposite direction and struck a raised white concrete curb/bridge abutment, as the oncoming vehicle similarly did to the abutment on the opposite side of the bridge.

Name of Agency against which this claim is filed? Valley Home Elementary School; Valley Home School District; City of Valley Home; Stanislaus County, State of California, California Department of Transportation

When Did Damage or Injury Occur? Give full particulars; date, time of day: On or about February 24, 2023 at approximately 3:15 P.M.

Attention: Oakdale Irrigation District
Office of Risk and Management
RE: Keira Hernandez
Page 2 of 2

Where Did Damage or Injury Occur? Describe fully.: At or near 16585 Victory Ave., Escalon, CA 95320

What Particular Act or Omission Do You Claim Caused the Injury or Damage?

The public entity Respondents owned, operated, managed, designed, planned, engineered, maintained and/or inspected the narrow bridge spanning an irrigation canal that presented a dangerous condition of property because of, including, but not limited to, loose gravel/asphalt/debris on the decreased shoulder and roadway, potholes, lack of enhanced conspicuity of standard road signs, lack of signage indicating "NARROW BRIDGE," "NARROW LANES," and/or black line icons to indicate the bridge narrowing, notice that the road shoulders are narrowed or eliminated and the failure to address the safety concerns inherent when two vehicles traverse the bridge simultaneously from opposite sides. The public entity Respondents permitted the canal crossing to constitute a dangerous condition of public property in that it lacked proper safety measures and are liable for Claimant's damages and injuries under the Government Code, including, but not limited to, §§ 815.2, 815.4, 820, 830, 830.8, 835 and 840.2.

Give Names of employees causing the injury or Damage, if known:

Including, but not limited to, Sara Vivian Decavit.

Names and Address of Witnesses, Doctors and Hospitals:

Memorial Medical Center – 1700 Coffee Rd., Modesto, CA 95355

Oakdale Community Health Center – 1420 W. H St., Oakdale, CA 95361

Golden Bear Physical Therapy Rehabilitation & Wellness Oakdale – 146 N Maag Ave., Ste. B, Oakdale, CA 95361


What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.

By way of example and without limitation: injuries to their person and body, including, but not limited to, her head and back.

What is the amount of Your Claim? Please itemize your Damages:

Within the jurisdiction of the Superior Court (Unlimited Civil Case). The demand is in excess of \$25,000.00.

DATED: 8-22-2023



DANIEL D. GEOULLA, ESQ.
On Behalf of Claimant

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 7
APN: N/A

SUBJECT: APPROVE REJECTION OF CLAIM SUBMITTED BY AIMAN-SMITH & MARCY ON BEHALF OF CARI MCCORMICK

RECOMMENDED ACTION: Reject the claim and forward to ACWA JPIA for further action

BACKGROUND AND/OR HISTORY:

This claim was filed on behalf of Cari McCormick and is associated a discrimination complaint filed against the California Public Employees' Retirement System (CalPERS) that occurred on or about June 1, 2023. The claim submitted by claimant is attached for your reference.

Staff recommends rejecting the claim and forwarding it to ACWA JPIA for resolution.

A rejection by the Board is not a statement that it disagrees with the claim nor is it an admission of fault.

FISCAL IMPACT: Unknown

ATTACHMENTS:

- Complaint

Board Motion:

Motion by: _____ Second by: _____

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

Received

June 28, 2023

AUG 14 2023

Oakdale ID
Counter

To Whom It May Concern:

My firm represents Cari McCormick. Enclosed you will find an administrative charge, with exhibits, filed by Ms McCormick with the California Civil Rights Department, naming as respondents the California Public Employees' Retirement System, Lake County, and the State of California.

As the charge explains, Ms McCormick's claims concern how certain pension benefits are calculated and paid through CalPERS. Those claims are brought *on behalf of* a putative class of California public employees ("Plaintiff Class"). Those claims are brought *against* a putative class of California public entity employers who employed one or more members of the proposed plaintiff class ("Defendant Class"). Ms McCormick will propose that the State of California, as represented by the California Attorney General's Office, serve as class representative for the proposed Defendant Class.

We have reason to believe your public entity may have employed one or more members of the proposed Plaintiff Class, because your public entity contracts to pay pension benefits through CalPERS. For that reason, we are serving Ms McCormick's FEHA charge on your public entity pursuant to Government Code section 12962(b). In addition, to the extent the government claim presentation requirements may apply, we hereby present the enclosed charge as a government claim.

For more information, please see the enclosed charge.

Regards,

AIMAN-SMITH & MARCY
PROFESSIONAL CORPORATION

/s/ Brent A. Robinson

Counsel for Plaintiff Cari McCormick
bar@asmlawyers.com

Enclosures



Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

Brent Robinson
Aiman-Smith & Marcy, 7677 Oakport Street, Suite 1150
Oakland, California 94621

RE: **Notice to Complainant's Attorney**
CRD Matter Number: 202306-20925508
Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Brent Robinson:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, CRD will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

RE: **Notice of Filing of Discrimination Complaint**

CRD Matter Number: 202306-20925508

Right to Sue: McCormick / California Public Employees' Retirement System et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 8, 2023

Cari McCormick

RE: **Notice of Case Closure and Right to Sue**

CRD Matter Number: 202306-20925508

Right to Sue: McCormick / California Public Employees' Retirement System et al.

Dear Cari McCormick:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective June 8, 2023 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1 **Additional Complaint Details:** See Exhibits A, B, and C attached hereto.

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Complaint – CRD No. 202306-20925508

27

Date Filed: June 8, 2023

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1 VERIFICATION

2 I, **Brent A. Robinson**, am the **Attorney** in the above-entitled complaint. I have read
3 the foregoing complaint and know the contents thereof. The matters alleged are
4 based on information and belief, which I believe to be true.

5 On June 8, 2023, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **San Francisco, CA**
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27 *Complaint – CRD No. 202306-20925508*

28 Date Filed: June 8, 2023

EXHIBIT A

Exhibit A – Claim Narrative

Plaintiff Cari McCormick is an individual.

Defendants California Public Employees' Retirement System ("CalPERS"), State of California, and County of Lake are California governmental entities.

Plaintiff is ignorant of the true names or capacities of defendants named herein as Does 1 through 3,000, inclusive, and therefore identifies these defendants by these fictitious names. Each of the defendants named herein or designated as a Doe, is liable or in some manner legally responsible for the events alleged herein.

Plaintiff seeks to have the State of California, represented by the California Attorney General's Office, appointed to represent a defendant class, which includes all public entities that both employed one or more Plaintiffs, and are liable for employer-side retirement contributions for one or more Plaintiffs. A list of public entities believed to potentially be included within that defendant class, based on their listing as employers within the 2021-2022 Annual Comprehensive Financial Report published by CalPERS, is attached as Exhibit C.

Plaintiff refers to all defendants here collectively as "Defendants."

Plaintiff seeks to represent a plaintiff class of similarly situated persons. The class includes all persons who were employed by Defendants; who were at or over age 40 at the time they became members of the CalPERS system; who applied for and were granted ordinary disability retirement; whose retirement benefits are administered by CalPERS; and either (1) who have ever received disability retirement benefit payments pursuant to Government Code section 21423, who were over age 41 at membership in CalPERS, and who at retirement were credited with 18.518 or fewer years of actual service; or (2) who have ever received disability retirement benefit payments pursuant to Government Code section 21098, and who at retirement were credited with 24.691 or fewer years of actual service; or (3) who have ever received disability retirement benefit payments pursuant to Government Code section 21424, and who at retirement were credited with 29.629 or fewer years of actual service.

Plaintiff was employed by County of Lake; was over age 40 at membership in CalPERS; applied for and was granted ordinary disability retirement; receives benefits administered by CalPERS; and presently receives monthly disability benefit payments pursuant to one of the sections listed above. *See, generally, McCormick v. Public Employees' Retirement System* (2019) 41 Cal.App.5th 428.

Plaintiff refers to herself and the proposed plaintiff class collectively as "Plaintiffs."

At all relevant times, each of the Defendants was the agent of each of the remaining Defendants and, in doing the things alleged herein, was acting with the course and scope of such agency.

Each of the Defendants' actions or omissions as alleged herein was ratified by each of the remaining Defendants. Each of the acts or omissions of a Defendant's agents as alleged herein was ratified by that Defendant, as well as by each of the remaining Defendants. Each of the Defendants had knowledge of unlawful discrimination practiced upon its employees by the other Defendants, and failed to thereafter take all reasonable steps to prevent further discrimination against its employees. Each of the Defendants provided substantial assistance or encouragement to the other Defendants in the discrimination alleged here, and thereby caused harm to Plaintiff and the proposed class. Each of the Defendants had knowledge of the discrimination alleged here, and cooperated in that discrimination. For purposes of the discrimination alleged here, each of the Defendants was a joint employer and engaged in a joint venture, including by engaging in a combination of resources to carry out a single undertaking, with each having separate ownership interests in the joint undertaking, joint control, and an agreement to share profits and losses of that joint undertaking.

California law governs Plaintiffs' retirement benefits, and provides for ordinary disability retirement benefits for certain public employees such as Plaintiff who are rendered unable to do their job by any non-industrial long-term disability.

California law calculates such ordinary disability retirement benefits in a way that discriminates based on advanced age at membership. Government Code sections 21098, 21424, and 21423 each provides for younger employees to receive an ordinary disability retirement benefit equal to at least 33.333% of their final compensation. By contrast, older employees receive significantly reduced benefits, because those benefits are based on imputed years of service through age 60. For example, assume two state miscellaneous first-tier employees are otherwise identical, except that one was hired at age 18, the other at age 49. Each puts in 10 years of actual credited service, and each is forced to retire due to disabilities. The 18-year-old-at-hire will receive a benefit equal to 33.333% of his final compensation, because the formula gives him service credit as if he had worked without interruption through age 60. By contrast, the 49-year-old-at-hire will receive a benefit equal to just 19.8% under section 21423, with the difference in benefit amounts solely due to the older employee's advanced age.

Defendants are liable for disparate treatment. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants paid Plaintiffs reduced retirement benefits compared to employees younger at membership. Plaintiffs' age over 40 at membership was a substantial motivating factor in Defendants' determination and payment of the amount of Plaintiffs' disability retirement benefits. Plaintiffs have been harmed. Defendants' payment of reduced benefits to Plaintiffs is a substantial factor in causing them harm.

Defendants are also liable for pattern-or-practice of intentional discrimination. Discrimination is Defendants' standard operating procedure, rather than an unusual practice, and that standard operating procedure is a substantial factor in harming Plaintiffs.

Defendants are also liable for disparate impact. Defendants are qualifying employers, and employed Plaintiffs. Plaintiffs were over age 40 at membership. Defendants maintained a common policy or practice that has a disproportionate adverse effect on persons over age 40 at membership. Plaintiffs have been harmed. Defendants' policy or practice was a substantial factor in causing Plaintiffs' harm.

Defendants are also liable for their failure to prevent discrimination against Plaintiffs. Defendants knew or should have known of the above-alleged discrimination, and failed to take all reasonable steps necessary to prevent the same from occurring, thereby causing harm to Plaintiffs.

Defendants are also liable for breach of contract. At hiring, Defendants promised Plaintiffs future pay in exchange for present work, and Defendants' monthly retirement benefit payments are wages paid after the fact for Plaintiffs' years of labor. *See, e.g., Kern v. Long Beach* (1947) 29 Cal.2d 848, 850-852. The retirement benefit provisions at issue are contractual terms of class members' employment agreements: by those retirement provisions, Defendants promised class members future pay in exchange for present work, and once class members began performance, class members obtained a vested contractual right to the benefits Defendants had promised. *See, e.g., McGlynn v. State of California* (2018) 21 Cal.App.5th 548, 559.

Defendants maintained express written contractual terms of employment that provided for class members to be paid reduced retirement benefits based on their advanced ages at hiring. *See, Gov. Code §§ 21098, 21424, 21423.* Those terms of employment violate or are contrary to overriding state laws (*i.e.*, Gov. Code § 12940, subd. (a)) regulating such terms of employment, by providing for reduced compensation based solely on an employees' advanced age at hiring. To that extent, those terms of employment are contrary to superseding state law, they are illegal contractual terms, they are contrary to public policy, and they are therefore void. *See, Civil Code § 1667.* The unlawful terms of Plaintiffs' contracts with Defendants are severable, such that the illegal contract terms should be severed, and the balance of the contracts enforced. *Armendariz v. Found. Health Psychcare Servs., Inc.* (2000) 24 Cal.4th 83, 124. With illegal contractual terms severed, class members' contracts with the Defendants provide for class members to receive equal retirement benefits.

Alternately, FEHA's prohibition on age discrimination constitutes a contractual term of employment implied by operation of law into Plaintiffs' employment agreements with Defendants, such that Defendants were subject to a contractual duty to pay nondiscriminatory retirement benefits. *See, Castillo v. Express Escrow Company* (2007) 146 Cal.App.4th 1301, 1308 ("all laws in existence when the agreement was made become part of the contract"); *Anderson v. Time Warner Telecom of California* (2005) 129 Cal.App.4th 411, 418 ("All applicable laws are presumed to be known by the parties and to form a part of the agreement as if those laws were expressly referred to and incorporated."); *Coral Farms, L.P. v. Mahony* (2021) 63 Cal.App.5th 719, 731 ("The incorporation of current law into a contract is presumed and does not require a deliberate expression by the parties.").

The terms of Plaintiffs' employment contracts were sufficiently clear that the parties could understand what each was required to do, the parties exchanged consideration, and the parties agreed to terms. Plaintiffs did all, or substantially all, of the significant things their contracts required of them. Defendants failed to pay non-discriminatory benefits under the contracts, or paid discriminatory benefits in violation of the contracts. Plaintiffs were harmed. Defendants' breaches of contract were a substantial factor in causing Plaintiffs' harm.

The harm to Plaintiffs includes the loss of retirement benefits, the loss of additional amounts of money each would have received had he or she not suffered such unlawful discrimination, and harm in the form of humiliation, mental anguish, and emotional distress.

Defendants are also liable for prospective relief for violations of California's Equal Protection clause. Such relief includes declaratory relief, injunctive relief, and issuance of writs of mandamus and/or prohibition.

Thus, Defendants' unlawful policies and practices as alleged adversely affect, in a similar manner, a class of persons of which Plaintiff is a member, and raise substantial questions of law and fact that are common to that class. For those reasons, Plaintiff files this charge on behalf of a class of all others similarly situated, and seeks to represent the same.

EXHIBIT B

Exhibit B – Required Claim Information (Gov. Code § 910)

Name of Claimant:	Cari McCormick
Address of Claimant, and Address Where Notices re Claim Should Be Sent:	Cari McCormick c/o Brent A. Robinson Aiman-Smith & Marcy, PC 7677 Oakport Street, Suite 1150 Oakland, CA 94621
Date, Place, and Other Circumstances of the Occurrence or Transaction which Gave Rise to the Claim Asserted:	Following a decision in favor of Ms McCormick by the First District Court of Appeal in 2019, CalPERS granted Ms McCormick ordinary disability retirement. For additional information about facts giving rise to claim asserted, see Exhibit A.
A General Description of the Loss Incurred:	See Exhibit A for detailed factual narrative.
The Name or Names of the Public Employees Causing the Injury, Damage, or Loss, if Known:	Unknown.
The Amount Claimed If Less than \$10k:	The amount claimed exceeds \$10k.

Note: This Claim is presented on behalf of a class of similarly situated persons. Claimant is the proposed representative claimant. The class description is provided in Exhibit A.

EXHIBIT C

Exhibit C – List of Potential Defendants

1. South San Joaquin County Fire Authority
2. Central Fire Protection District of Santa Cruz County
3. California Intergovernmental Risk Authority
4. State of California
5. Alameda County Office of Education
6. Alpine County Office of Education
7. Amador County Office of Education
8. Butte County Office of Education
9. Calaveras County Office of Education
10. Colusa County Office of Education
11. Contra Costa County Office of Education
12. Del Norte County Office of Education
13. El Dorado County Office of Education
14. Fresno County Office of Education
15. Glenn County Office of Education
16. Humboldt County Office of Education
17. Imperial County Office of Education
18. Inyo County Office of Education
19. Kern County Office of Education
20. Kings County Office of Education
21. Lake County Office of Education
22. Lassen County Office of Education
23. Los Angeles County Office of Education
24. Madera County Office of Education
25. Marin County Office of Education
26. Mariposa County Office of Education
27. Mendocino County Office of Education
28. Merced County Office of Education
29. Modoc County Office of Education
30. Mono County Office of Education
31. Monterey County Office of Education
32. Napa County Office of Education
33. Nevada County Office of Education
34. Los Angeles Unified School District
35. Los Angeles Community College District
36. San Diego County Office of Education
37. Alpine County
38. Amador County
39. Butte County
40. Calaveras County
41. Colusa County

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42. Del Norte County
43. El Dorado County
44. Glenn County
45. Humboldt County
46. Inyo County
47. Kings County
48. Lake County
49. Lassen County
50. Madera County
51. Mariposa County
52. Modoc County
53. Mono County
54. Monterey County
55. Napa County
56. Nevada County
57. Placer County
58. Plumas County
59. Riverside County
60. San Benito County
61. San Joaquin County
62. Santa Clara County
63. Santa Cruz County
64. Shasta County
65. Sierra County
66. Siskiyou County
67. Solano County
68. Sutter County
69. Tehama County
70. Trinity County
71. Tuolumne County
72. Yolo County
73. Yuba County
74. Adelanto
75. Agoura Hills
76. Alameda
77. Albany
78. Alhambra
79. Aliso Viejo
80. Alturas
81. American Canyon
82. Anaheim
83. Anderson
84. Angels

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- 85. Antioch
- 86. Apple Valley
- 87. Arcadia
- 88. Arcata
- 89. Arroyo Grande
- 90. Artesia
- 91. Arvin
- 92. Atascadero
- 93. Atherton
- 94. Atwater
- 95. Auburn
- 96. Avalon
- 97. Avenal
- 98. Azusa
- 99. Bakersfield
- 100. Baldwin Park
- 101. Banning
- 102. Barstow
- 103. Beaumont
- 104. Bell
- 105. Bell Gardens
- 106. Bellflower
- 107. Belmont
- 108. Belvedere
- 109. Benicia
- 110. Berkeley
- 111. Beverly Hills
- 112. Biggs
- 113. Bishop
- 114. Blue Lake
- 115. Blythe
- 116. Bradbury
- 117. Brawley
- 118. Brea
- 119. Brentwood
- 120. Brisbane
- 121. Buellton
- 122. Buena Park
- 123. Burbank
- 124. Burlingame
- 125. Calabasas
- 126. Calexico
- 127. California City

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- 128. Calimesa
- 129. Calipatria
- 130. Calistoga
- 131. Camarillo
- 132. Campbell
- 133. Canyon Lake
- 134. Capitola
- 135. Carlsbad
- 136. Carmel-By-The-Sea
- 137. Carpinteria
- 138. Carson
- 139. Cathedral City
- 140. Cerritos
- 141. Chico
- 142. Chino
- 143. Chowchilla
- 144. Chula Vista
- 145. Citrus Heights
- 146. Claremont
- 147. Clayton
- 148. Clearlake
- 149. Cloverdale
- 150. Clovis
- 151. Coachella City
- 152. Coalinga
- 153. Colfax
- 154. Colma
- 155. Colton
- 156. Colusa
- 157. Commerce
- 158. Compton
- 159. Concord
- 160. Corcoran
- 161. Corning
- 162. Corona
- 163. Coronado
- 164. Corte Madera
- 165. Costa Mesa
- 166. Cotati
- 167. Covina
- 168. Crescent City
- 169. Cudahy
- 170. Culver City

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Page 5

- 171. Cupertino
- 172. Cypress
- 173. Daly City
- 174. Dana Point
- 175. Davis
- 176. Del Mar
- 177. Del Rey Oaks
- 178. Delano
- 179. Desert Hot Springs
- 180. Diamond Bar
- 181. Dinuba
- 182. Dixon
- 183. Dos Palos
- 184. Downey
- 185. Duarte
- 186. Dublin
- 187. Dunsmuir
- 188. East Palo Alto
- 189. Eastvale
- 190. El Cajon
- 191. El Centro
- 192. El Cerrito
- 193. El Monte
- 194. El Segundo
- 195. Elk Grove
- 196. Emeryville
- 197. Encinitas
- 198. Escalon
- 199. Escondido
- 200. Etna
- 201. Eureka
- 202. Exeter
- 203. Fairfax
- 204. Fairfield
- 205. Farmersville
- 206. Fillmore
- 207. Firebaugh
- 208. Folsom
- 209. Fontana
- 210. Fort Bragg
- 211. Fortuna
- 212. Foster City
- 213. Fountain Valley

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- 214. Fowler
- 215. Fremont
- 216. Fullerton
- 217. Galt
- 218. Garden Grove
- 219. Gardena
- 220. Gilroy
- 221. Glendale
- 222. Glendora
- 223. Goleta
- 224. Gonzales
- 225. Grand Terrace
- 226. Grass Valley
- 227. Greenfield
- 228. Gridley
- 229. Grover Beach
- 230. Guadalupe
- 231. Gustine
- 232. Half Moon Bay
- 233. Hanford
- 234. Hawaiian Gardens
- 235. Hawthorne
- 236. Hayward
- 237. Healdsburg
- 238. Hemet
- 239. Hercules
- 240. Hermosa Beach
- 241. Hesperia
- 242. Hidden Hills
- 243. Highland
- 244. Hillsborough
- 245. Hollister
- 246. Hughson
- 247. Huntington Beach
- 248. Huntington Park
- 249. Imperial
- 250. Imperial Beach
- 251. Indian Wells
- 252. Indio
- 253. Industry
- 254. Inglewood
- 255. Ione
- 256. Irvine

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- 257. Irwindale
- 258. Jackson
- 259. Kerman
- 260. King City
- 261. Kingsburg
- 262. La Canada Flintridge
- 263. La Habra
- 264. La Habra Heights
- 265. La Mesa
- 266. La Mirada
- 267. La Palma
- 268. La Puente
- 269. La Quinta
- 270. La Verne
- 271. Laguna Beach
- 272. Laguna Hills
- 273. Laguna Niguel
- 274. Laguna Woods
- 275. Lake Elsinore
- 276. Lake Forest
- 277. Lakeport
- 278. Lakewood
- 279. Lancaster
- 280. Larkspur
- 281. Lathrop
- 282. Lawndale
- 283. Lemon Grove
- 284. Lemoore
- 285. Lincoln
- 286. Lindsay
- 287. Live Oak
- 288. Livermore
- 289. Livingston
- 290. Lodi
- 291. Loma Linda
- 292. Lomita
- 293. Lompoc
- 294. Long Beach
- 295. Loomis
- 296. Los Alamitos
- 297. Los Altos
- 298. Los Altos Hills
- 299. Los Banos

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- 300. Los Gatos
- 301. Lynwood
- 302. Madera
- 303. Malibu
- 304. Mammoth Lakes
- 305. Manhattan Beach
- 306. Manteca
- 307. Marina
- 308. Martinez
- 309. Marysville
- 310. Maywood
- 311. Mendota
- 312. Menifee
- 313. Menlo Park
- 314. Merced
- 315. Mill Valley
- 316. Millbrae
- 317. Milpitas
- 318. Mission Viejo
- 319. Modesto
- 320. Monrovia
- 321. Montague
- 322. Montclair
- 323. Monte Sereno
- 324. Montebello
- 325. Monterey
- 326. Monterey Park
- 327. Moorpark
- 328. Moraga
- 329. Moreno Valley
- 330. Morgan Hill
- 331. Morro Bay
- 332. Mountain View
- 333. Mt. Shasta
- 334. Murrieta
- 335. Napa
- 336. National City
- 337. Needles
- 338. Nevada City
- 339. Newark
- 340. Newman
- 341. Newport Beach
- 342. Norco

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- 343. Norwalk
- 344. Novato
- 345. Oakdale
- 346. Oakland
- 347. Oakley
- 348. Oceanside
- 349. Ojai
- 350. Ontario
- 351. Orange
- 352. Orange Cove
- 353. Orland
- 354. Oroville
- 355. Oxnard
- 356. Pacific Grove
- 357. Pacifica
- 358. Palm Desert
- 359. Palm Springs
- 360. Palmdale
- 361. Palo Alto
- 362. Palos Verdes Estates
- 363. Paradise
- 364. Paramount
- 365. Parlier
- 366. Pasadena
- 367. Paso Robles
- 368. Patterson
- 369. Perris
- 370. Petaluma
- 371. Pico Rivera
- 372. Piedmont
- 373. Pinole
- 374. Pismo Beach
- 375. Pittsburg
- 376. Placentia
- 377. Placerville
- 378. Pleasant Hill
- 379. Pleasanton
- 380. Pomona
- 381. Port Hueneme
- 382. Porterville
- 383. Portola
- 384. Portola Valley
- 385. Poway

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- 386. Rancho Cordova
- 387. Rancho Cucamonga
- 388.
- 389. Rancho Mirage
- 390. Rancho Palos Verdes
- 391. Rancho Santa Margarita
- 392. Red Bluff
- 393. Redding
- 394. Redlands
- 395. Redondo Beach
- 396. Redwood City
- 397. Reedley
- 398. Rialto
- 399. Richmond
- 400. Ridgecrest
- 401. Rio Vista
- 402. Ripon
- 403. Riverbank
- 404. Riverside
- 405. Rocklin
- 406. Rohnert Park
- 407. Rolling Hills
- 408. Rolling Hills Estates
- 409. Rosemead
- 410. Roseville
- 411. Ross
- 412. Sacramento
- 413. Salinas
- 414. San Anselmo
- 415. San Bernardino
- 416. San Bruno
- 417. San Buenaventura
- 418. San Carlos
- 419. San Clemente
- 420. San Dimas
- 421. San Fernando
- 422. San Francisco
- 423. San Gabriel
- 424. San Jacinto
- 425. San Joaquin
- 426. San Jose
- 427. San Leandro
- 428. San Luis Obispo

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- 429. San Marcos
- 430. San Marino
- 431. San Mateo
- 432. San Pablo
- 433. San Ramon
- 434. Sand City
- 435. Sanger
- 436. Santa Ana
- 437. Santa Barbara
- 438. Santa Clara
- 439. Santa Clarita
- 440. Santa Cruz
- 441. Santa Fe Springs
- 442. Santa Maria
- 443. Santa Monica
- 444. Santa Paula
- 445. Santa Rosa
- 446. Santee
- 447. Saratoga
- 448. Sausalito
- 449. Scotts Valley
- 450. Seal Beach
- 451. Seaside
- 452. Sebastopol
- 453. Selma
- 454. Shafter
- 455. Shasta Lake
- 456. Sierra Madre
- 457. Signal Hill
- 458. Simi Valley
- 459. Solana Beach
- 460. Soledad
- 461. Solvang
- 462. Sonoma
- 463. Sonora
- 464. South El Monte
- 465. South Gate
- 466. South Lake Tahoe
- 467. South Pasadena
- 468. South San Francisco
- 469. St. Helena
- 470. Stanton
- 471. Stockton

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- 472. Suisun City
- 473. Sunnyvale
- 474. Susanville
- 475. Sutter Creek
- 476. Taft
- 477. Tehachapi
- 478. Temecula
- 479. Temple City
- 480. Thousand Oaks
- 481. Tiburon
- 482. Torrance
- 483. Tracy
- 484. Truckee
- 485. Tulare
- 486. Tulelake
- 487. Turlock
- 488. Tustin
- 489. Twentynine Palms
- 490. Ukiah
- 491. Union City
- 492. Upland
- 493. Vacaville
- 494. Vallejo
- 495. Vernon
- 496. Victorville
- 497. Villa Park
- 498. Visalia
- 499. Vista
- 500. Walnut
- 501. Walnut Creek
- 502. Wasco
- 503. Waterford
- 504. Watsonville
- 505. Weed
- 506. West Covina
- 507. West Hollywood
- 508. West Sacramento
- 509. Westlake Village
- 510. Westminster
- 511. Whittier
- 512. Wildomar
- 513. Williams
- 514. Willits

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- 515. Willows
- 516. Windsor
- 517. Winters
- 518. Woodlake
- 519. Woodland
- 520. Woodside
- 521. Yorba Linda
- 522. Yountville
- 523. Yreka
- 524. Yuba City
- 525. Yucaipa
- 526. Yucca Valley
- 527. Academic Senate for California Community Colleges
- 528. Access Services Incorporated
- 529. Agoura Hills and Calabasas Community Center
- 530. Alameda Alliance for Health
- 531. Alameda Corridor Transportation Authority
- 532. Alameda County Fire Department
- 533. Alameda County Law Library
- 534. Alameda County Mosquito Abatement District
- 535. Alameda County Schools Insurance Group
- 536. Alameda County Transportation Commission
- 537. Alameda County Waste Management Authority
- 538. Alameda County Water District
- 539. Alliance of Schools for Cooperative Insurance Programs
- 540. Alpine Fire Protection District
- 541. Alpine Springs County Water District
- 542. Alta California Regional Center, Inc.
- 543. Alta Irrigation District
- 544. Altadena Library District
- 545. Amador County Transportation Commission
- 546. Amador Transit
- 547. Amador Water Agency
- 548. American Canyon Fire Protection District
- 549. American River Flood Control District
- 550. Anderson Cemetery District
- 551. Anderson Fire Protection District
- 552. Angiola Water District
- 553. Antelope Valley Mosquito and Vector Control District
- 554. Antelope Valley Schools Transportation Agency
- 555. Antelope Valley Transit Authority
- 556. Apple Valley Fire Protection District
- 557. Arbuckle-College City Fire Protection District

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- 558. Arcade Creek Recreation and Park District
- 559. Arcata Fire Protection District
- 560. Area 12 Agency on Aging
- 561. Aromas Water District
- 562. Arrowbear Park County Water District
- 563. Arroyo Grande District Cemetery
- 564. Associated Students California State University San Bernardino
- 565. Associated Students Inc., California State University, Fullerton
- 566. Associated Students Incorporated of California State University East Bay
- 567. Associated Students Incorporated of California State University Stanislaus
- 568. Associated Students of California State University, Chico
- 569. Association of California Water Agencies
- 570. Association of California Water Agencies - Joint Powers Insurance Authority
- 571. Association of Monterey Bay Area Governments
- 572. Atascadero Cemetery District
- 573. Auburn Area Recreation and Park District
- 574. Auburn Public Cemetery District
- 575. Avila Beach Community Services District
- 576. Aztec Shops, Ltd.
- 577. Bard Water District
- 578. Bardsdale Cemetery District
- 579. Barstow Cemetery District
- 580. Bay Area Air Quality Management District
- 581. Bay Area Water Supply and Conservation Agency
- 582. Beach Cities Health District
- 583. Bear Mountain Recreation and Park District
- 584. Bear Valley Community Services District
- 585. Beaumont District Library
- 586. Beaumont-Cherry Valley Recreation and Park District
- 587. Beaumont-Cherry Valley Water District
- 588. Bella Vista Water District
- 589. Belmont Fire Protection District
- 590. Belmont-San Carlos Fire Department
- 591. Belvedere-Tiburon Library Agency
- 592. Benicia City Housing Authority
- 593. Berkeley Housing Authority
- 594. BETA Healthcare Group Risk Management Authority
- 595. Big Bear Area Regional Wastewater Agency
- 596. Big Bear City Airport District
- 597. Big Bear City Community Services District
- 598. Big Bear Municipal Water District
- 599. Bighorn-Desert View Water Agency
- 600. Black Gold Cooperative Library System

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601. Blanchard/Santa Paula Public Library District
602. Blue Lake Fire Protection District
603. Bodega Bay Fire Protection District
604. Bolinas Community Public Utility District
605. Bolinas Fire Protection District
606. Bonita-Sunnyside Fire Protection District
607. Boron Community Services District
608. Borrego Springs Fire Protection District
609. Borrego Water District
610. Boulder Creek Fire Protection District
611. Branciforte Fire Protection District
612. Brannan-Andrus Levee Maintenance District
613. Broadmoor Police Protection District
614. Brooktrails Township Community Services District
615. Browns Valley Irrigation District
616. Buckingham Park County Water District
617. Buena Park Library District
618. Burney Basin Mosquito Abatement District
619. Burney Fire District
620. Burney Water District
621. Butte County Air Quality Management District
622. Butte County Association of Governments
623. Butte County Fair Association
624. Butte County In-Home Supportive Services Public Authority
625. Butte County Mosquito and Vector Control District
626. Butte Local Agency Formation Commission
627. Butte Schools Self-Funded Programs
628. Butte-Glenn Community College District
629. Byron-Bethany Irrigation District
630. Cabrillo College Foundation
631. Cachuma Operation and Maintenance Board
632. Cal Poly Corporation
633. Cal Poly Pomona Foundation, Inc.
634. Calaveras Council of Governments
635. Calaveras County Water District
636. Calaveras Public Utility District
637. California Association for Park and Recreation Indemnity
638. California Authority of Racing Fairs
639. California Bear Credit Union
640. California Central Valley Flood Control Association
641. California Fair Services Authority
642. California Fairs Financing Authority
643. California Firefighter's Joint Apprenticeship Committee

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- 644. California Interscholastic Federation, Central Coast Section
- 645. California Interscholastic Federation, Central Section
- 646. California Interscholastic Federation, North Coast Section
- 647. California Interscholastic Federation, Northern Section
- 648. California Interscholastic Federation, Sac- Joaquin Section
- 649. California Interscholastic Federation, San Diego Section
- 650. California Interscholastic Federation, Southern Section
- 651. California Interscholastic Federation, State Office
- 652. California Joint Powers Insurance Authority
- 653. California Joint Powers Risk Management Authority
- 654. California Maritime Academy Foundation, Inc.
- 655. California Municipal Utilities Association
- 656. California Pines Community Services District
- 657. California Redevelopment Association Foundation
- 658. California School Boards Association
- 659. California Special Districts Association
- 660. California State University, Bakersfield Foundation
- 661. California State University, East Bay Foundation, Inc.
- 662. "California State University, Fresno Athletic Corporation"
- 663. California State University, Stanislaus Auxiliary and Business Services
- 664. California State University-Fresno Association, Inc.
- 665. Callayomi County Water District
- 666. Calleguas Municipal Water District
- 667. Camarillo Health Care District
- 668. Cambria Cemetery District
- 669. Cambria Community Healthcare District
- 670. Cambria Community Services District
- 671. Cameron Park Community Services District
- 672. Camrosa Water District
- 673. Capitol Area Development Authority
- 674. Carmel Area Wastewater District
- 675. Carmel Highlands Fire Protection District of Monterey County
- 676. Carmichael Water District
- 677. Carpinteria Sanitary District
- 678. Carpinteria Valley Water District
- 679. Casitas Municipal Water District
- 680. Castro Valley Sanitary District
- 681. Castroville Community Services District
- 682. Cawelo Water District
- 683. Cayucos Sanitary District
- 684. Cayucos-Morro Bay Cemetery District
- 685. Centerville Community Services District
- 686.

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- 687. Central Basin Municipal Water District
- 688. Central Calaveras Fire and Rescue Protection District
- 689. Central Coast Water Authority
- 690. Central Contra Costa Solid Waste Authority
- 691. Central Contra Costa Transit Authority
- 692. Central County Fire Department
- 693. Central Marin Fire Authority
- 694. Central Marin Police Authority
- 695. Central Marin Sanitation Agency
- 696. Central Sierra Child Support Agency
- 697. Central Valley Regional Center, Inc.
- 698. Central Water District
- 699. Channel Islands Beach Community Services District
- 700. Chester Public Utility District
- 701. Chico Area Recreation and Park District
- 702. Children and Families Commission of San Luis Obispo County
- 703. Chino Basin Water Conservation District
- 704. Chino Basin Watermaster
- 705. Chino Valley Independent Fire District
- 706. Citrus Heights Water District
- 707. City/County Association of Governments of San Mateo County
- 708. Clear Creek Community Services District
- 709. Clearlake Oaks County Water District
- 710. Cloverdale Citrus Fair
- 711. Cloverdale Fire Protection District
- 712. Clovis Cemetery District
- 713. Coachella Valley Association of Governments
- 714. Coachella Valley Mosquito and Vector Control District
- 715. Coachella Valley Public Cemetery District
- 716. Coachella Valley Water District
- 717. Coalinga/Huron Unified School District Library District
- 718. Coalinga-Huron Cemetery District
- 719. Coalinga-Huron Recreation and Park District
- 720. Coast Life Support District
- 721. Coastal Developmental Services Fdn DBA Westside Regional Center
- 722. Coastsides County Water District
- 723. Coastsides Fire Protection District
- 724. Colfax Cemetery District
- 725. College of The Canyons Foundation
- 726. Colusa County One-Stop Partnership
- 727. Colusa Mosquito Abatement District
- 728. Community College League of California
- 729. Community Development Commission of Mendocino County

Exhibit C

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- 730. Compass Community Credit Union
- 731. Compton Creek Mosquito Abatement District
- 732. Compton Unified School District
- 733. Conejo Recreation and Park District
- 734. Connecting Point
- 735. Consolidated Mosquito Abatement District
- 736. Contra Costa Community College District
- 737. Contra Costa County Law Library
- 738. Contra Costa County Schools Insurance Group
- 739. Contra Costa Transportation Authority
- 740. Cooperative Organization for the Development of Employee Selection Procedures
- 741. Cooperative Personnel Services
- 742. Copperopolis Fire Protection District
- 743. Cordelia Fire Protection District of Solano County
- 744. Cordova Recreation and Park District
- 745. Corning Water District
- 746. Costa Mesa Sanitary District
- 747. Cosumnes Community Services District
- 748. Cottonwood Fire Protection District
- 749. Cottonwood Water District
- 750. CRA/LA, a Designated Local Authority
- 751. Crescent City Harbor District
- 752. Crescenta Valley Water District
- 753. Crestline Lake Arrowhead Water Agency
- 754. Crestline Village Water District
- 755. Crockett Community Services District
- 756. Cucamonga Valley Water District
- 757. Cutler Public Utility District
- 758. Cutler-Orosi Joint Powers Wastewater Authority
- 759. Cuyama Valley Recreation District
- 760. Dairy Council of California
- 761. Davis Cemetery District
- 762. De Luz Community Services District
- 763. Del Norte County Library District
- 764. Del Paso Manor Water District
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- 1424. Three Valleys Municipal Water District
- 1425. Tiburon Fire Protection District
- 1426. Trabuco Canyon Water District
- 1427. Tracy Rural County Fire Protection District
- 1428. Transbay Joint Powers Authority
- 1429. Transportation Agency for Monterey County
- 1430. Transportation Authority of Marin
- 1431. Treasure Island Development Authority
- 1432. Tri-City Mental Health Center
- 1433. Tri-Counties Association for the Developmentally Disabled
- 1434. Tri-County Schools Insurance Group
- 1435. Tri-Dam Project
- 1436. Trindel Insurance Fund
- 1437. Trinity Public Utilities District
- 1438. Truckee Donner Public Utility District
- 1439. Truckee Fire Protection District
- 1440. Truckee Sanitary District
- 1441. Truckee Tahoe Airport District
- 1442. Tulare Mosquito Abatement District
- 1443. Tulare Public Cemetery District
- 1444. Tuolumne City Sanitary District
- 1445. Tuolumne Fire District
- 1446. Tuolumne Utilities District
- 1447. Turlock Mosquito Abatement District
- 1448. Twain Harte Community Services District
- 1449. Twentynine Palms Water District
- 1450. Twin Rivers Unified School District
- 1451. Ukiah Valley Fire District
- 1452. Union Public Utility District
- 1453. Union Sanitary District
- 1454. United Water Conservation District
- 1455. University Enterprises Corporation at CSUSB
- 1456. University Enterprises, Inc.
- 1457. University Student Center of California State University Stanislaus

Exhibit C

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- 1458. Upland City Housing Authority
- 1459. Upper San Gabriel Valley Municipal Water District
- 1460. Utica Water and Power Authority
- 1461. Vacaville Fire Protection District
- 1462. Vacaville-Elmira Cemetery District
- 1463. Val Verde Unified School District
- 1464. Vallecitos Water District
- 1465. Vallejo Flood and Wastewater District
- 1466. Valley Center Municipal Water District
- 1467. Valley County Water District
- 1468. Valley Mountain Regional Center, Inc.
- 1469. Valley of the Moon Water District
- 1470. Valley Sanitary District
- 1471. Valley Springs Public Utility District
- 1472. Valley-Wide Recreation and Park District
- 1473. Vandenberg Village Community Services District
- 1474. Ventura College Foundation
- 1475. Ventura County Law Library
- 1476. Ventura County Schools Business Services Authority
- 1477. Ventura County Schools Self-Funding Authority
- 1478. Ventura County Transportation Commission
- 1479. Ventura Port District
- 1480. Ventura River Water District
- 1481. Victor Valley Transit Authority
- 1482. Victor Valley Wastewater Reclamation Authority
- 1483. Visalia Public Cemetery District
- 1484. Vista Irrigation District
- 1485. Walnut Valley Water District
- 1486. Wasco Recreation and Park District
- 1487. Washington Colony Cemetery District
- 1488. Water Employee Services Authority
- 1489. Water Facilities Authority
- 1490. Water Replenishment District of Southern California
- 1491. Weaverville Community Services District
- 1492. Weaverville Sanitary District
- 1493. West Almanor Community Services District
- 1494. West Basin Municipal Water District
- 1495. West Bay Sanitary District
- 1496. West Cities Communication Center
- 1497. West Contra Costa Integrated Waste Management Authority
- 1498. West Contra Costa Transportation Advisory Committee
- 1499. West County Transportation Agency
- 1500. West County Wastewater District

Exhibit C

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- 1501. West End Communications Authority
- 1502. West Kern Water District
- 1503. West Stanislaus Irrigation District
- 1504. West Valley Mosquito and Vector Control District
- 1505. West Valley Sanitation District of Santa Clara County
- 1506. West Valley Water District
- 1507. West Valley-Mission Community College District
- 1508. Westborough Water District
- 1509. Western Contra Costa Transit Authority
- 1510. Western Municipal Water District
- 1511. Western Riverside Council of Governments
- 1512. Westlands Water District
- 1513. Westwood Community Services District
- 1514. Wheeler Ridge-Maricopa Water Storage District
- 1515. Wildomar Cemetery District
- 1516. Williams Fire Protection Authority
- 1517. Willow County Water District
- 1518. Willow Creek Community Services District
- 1519. Willows Cemetery District
- 1520. Wilton Fire Protection District
- 1521. Winterhaven Water District
- 1522. Winters Cemetery District
- 1523. Winters Fire Protection District
- 1524. Winton Water and Sanitary District
- 1525. Woodbridge Rural County Fire Protection District
- 1526. Woodlake Fire District
- 1527. Woodside Fire Protection District
- 1528. Yolo County Federal Credit Union
- 1529. Yolo County Housing Authority
- 1530. Yolo County In-Home Supportive Services Public Authority
- 1531. Yolo County Public Agency Risk Management Insurance Authority
- 1532. Yolo County Transportation District
- 1533. Yolo Emergency Communications Agency
- 1534. Yolo-Solano Air Quality Management District
- 1535. Yorba Linda Water District
- 1536. Yuba Community College District
- 1537. Yuba County Water Agency
- 1538. Yuba Sutter Transit Authority
- 1539. Yucaipa Valley Water District
- 1540. Yuima Municipal Water District

BOARD AGENDA REPORT

Date: September 12, 2023

Item Number: 8

APN: N/A

SUBJECT: APPROVE BOARD ATTENDANCE AT THE ACWA FALL CONFERENCE AND EXPO, NOVEMBER 28-30, 2023 IN INDIAN WELLS, CA

RECOMMENDED ACTION: Approve Directors' attendance at the ACWA Fall Conference and Expo, November 28-30, 2023 in Indian Wells, CA

BACKGROUND AND/OR HISTORY:

The ACWA Fall Conference is scheduled for November 28-30, 2023 in Indian Wells, CA. This is being brought to the Board for approval of the Directors' attendance at the conference.

FISCAL IMPACT: Full Conference and Meals – Early Registration is \$815 (by 11/17/23)

ATTACHMENTS:

- Preliminary Agenda
-

Board Motion:

Motion by: _____ Second by: _____

VOTE:

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

PRELIMINARY AGENDA

TUES 11/28/23

8:00 AM - 9:15 AM
AGRICULTURE COMMITTEE

8:30 AM - 12:00 PM
ACWA JPIA SEMINARS

9:30 AM - 10:45 AM
GROUNDWATER COMMITTEE

11:00 - 12:15 PM
WATER MANAGEMENT COMMITTEE
ENERGY COMMITTEE

12:15 PM - 1:30 PM
COMMITTEE LUNCH

12:30 PM - 1:30 PM
OUTREACH TASK FORCE

1:00 PM - 3:00 PM
ACWA JPIA SEXUAL HARRASSMENT TRAINING

1:45 PM - 3:00 PM
FINANCE COMMITTEE
LOCAL GOVERNMENT COMMITTEE
WATER QUALITY COMMITTEE

3:15 PM - 5:00 PM
COMMUNICATIONS COMMITTEE
FEDERAL AFFAIRS COMMITTEE
LEGAL AFFAIRS COMMITTEE
MEMBERSHIP COMMITTEE

5:00 PM - 6:30 PM
WELCOME RECEPTION
IN THE EXHIBIT HALL

WED 11/29/23

7:30 AM - 8:30 AM
CONTINENTAL BREAKFAST
IN THE EXHIBIT HALL

8:30 AM - 10:00 AM
WELCOME KEYNOTE / MAIN STAGE

- ACWA State of the Association
- Keynote Presentation
- ACWA JPIA Update
- Emissary Award

10:30 AM - 11:45 AM
PROGRAM SESSIONS 

12:00 PM - 1:30 PM
CONNECT IN THE EXHIBIT HALL
NETWORKING BBQ LUNCH

1:30 PM - 2:00 PM
SOLUTION SPOTLIGHTS
 • Member Case Study, Associate Service, Demo

1:30 PM - 2:15 PM
WATER TALK / MAIN STAGE

2:30 PM - 3:30 PM
PROGRAM SESSIONS 

3:45 PM - 5:00 PM
REGION 1-10 MEMBERSHIP MEETINGS

5:00 PM - 6:00 PM
ACWA RECEPTION IN THE EXHIBIT HALL

THUR 11/30/23

7:00 AM - 8:00 AM
WELLNESS ACTIVITY

7:30 AM - 11:00 AM
CONNECT IN THE EXHIBIT HALL

7:30 AM - 9:00 AM
CONTINENTAL BREAKFAST
IN THE EXHIBIT HALL

8:30 AM - 10:00 AM
MEDIA TRAINING

8:30 AM - 10:45 AM
ETHICS TRAINING

9:00 AM - 10:00 AM
PROGRAM SESSIONS 

10:15 AM - 11:15 AM
PROGRAM SESSIONS 

11:45 AM - 1:15 PM
KEYNOTE & AWARDS / MAIN STAGE

- Keynote Presentation
- Outreach Awards
- Sponsorship Awards
- Huell Howser Awards
- Steve Hall Scholarship
- Passing of the Gavel

1:30 PM - 3:00 PM
CLOSING LUNCH

Last Updated: 08/03/2023

 Qualify for continuing education credit

 Designated Recorded Programs TBD

Questions: Email events@acwa.com

Online Registration Deadline: Nov. 17, 2023

All conference programs are subject to change without notice.

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 9
APN: N/A

SUBJECT: APPROVE THE TREASURER'S REPORT AND FINANCIAL STATEMENTS FOR THE SEVEN MONTHS ENDING JULY 31, 2023

RECOMMENDED ACTION: Approve the Treasurer's Report and Financial Statements for the Seven Months Ending July 31, 2023

BACKGROUND AND/OR HISTORY:

The Treasurer's report provides the total Treasury and Improvement District Funds as of July 31, 2023. The month ended with \$54.7 million in designated reserves, \$1.6 million in restricted cash and \$15.5 million in operating cash.

As of the financial statement date of July 31, 2023, the District realized 69.4% of the budgeted revenues, and actual expenditures (including capital projects and purchases) utilized 31.0% of the budgeted expenditures. Additional information is provided within the attached reports.

FISCAL IMPACT: None

ATTACHMENTS:

- Treasurer's Report
- Monthly Financial Report (*unaudited*)

Board Motion:

Motion by: _____ Second by: _____

VOTE

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

OAKDALE IRRIGATION DISTRICT



TREASURER'S REPORT FOR THE PERIOD ENDING JULY 31, 2023

TREASURER'S REPORT TO THE BOARD OF DIRECTORS
OAKDALE IRRIGATION DISTRICT
STATEMENT OF FUNDS
FOR THE PERIOD ENDING JULY 31, 2023

PERIOD ENDING	7/31/2023	RATE	6/30/2023	NET CHANGE
<u>OAKDALE IRRIGATION DISTRICT FUNDS</u>				
LAIF	\$176,770.36	3.305%	\$175,393.28	\$1,377.08
OAK VALLEY COMMUNITY BANK CHECKING	1,186,575.28		1,290,471.98	(103,896.70)
OVCB BUSINESS PLUS SAVINGS	4,119,770.49	0.500%	7,050,744.63	(2,930,974.14)
US BANK	64,701,006.75	3.973%	64,863,006.62	(161,999.87)
<i>TOTAL TREASURY FUNDS</i>	70,184,122.88		73,379,616.51	(3,195,493.63)
<u>IMPROVEMENT DISTRICT FUNDS</u>				
IMPROVEMENT DISTRICT'S FUNDS	1,609,692.86		1,564,021.54	45,671.32
<i>TOTAL IMPROVEMENT DISTRICT FUNDS</i>	1,609,692.86		1,564,021.54	45,671.32
<u>TOTAL TREASURY AND IMPROVEMENT DISTRICT FUNDS</u>	<u>\$71,793,815.74</u>		<u>\$74,943,638.05</u>	<u>(\$3,149,822.31)</u>

OAKDALE IRRIGATION DISTRICT
FOR THE PERIOD ENDING JULY 31, 2023

DISTRICT CASH AND CASH EQUIVALENTS		7/31/2023	7/31/2022	NET CHANGE
Beginning Balance: 7/1/2023		\$73,379,616.51		
Receipts / Earnings / Transfers		84,106.92		
Expenditures / Transfers		(3,279,600.55)		
TOTAL DISTRICT TREASURY FUNDS ON HAND:	7/31/2023	\$70,184,122.88	\$67,408,803.55	\$2,775,319.33

GENERAL FUND

Beginning Balance: 7/1/2023		\$18,691,053.49		
<u>RECEIPTS / EARNINGS</u>				
Net Investment Income	(151,571.89)			
Collection Receipts	235,678.81			
Total Receipts:		84,106.92		
<u>EXPENDITURES</u>				
Accounts Payable	2,894,239.63			
Payroll	385,360.92			
Total Expenditures:		(3,279,600.55)		

BALANCE ON HAND:	7/31/2023	\$15,495,559.86	\$15,554,712.23	(\$59,152.37)
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DESIGNATED FUNDS:

JOINT CANYON TUNNEL PROJECT RESERVE

Beginning Balance: 7/1/2023		14,474,566.76		
Transfer from General Fund		0.00		
Transfer Funds to General Fund		0.00		
BALANCE ON HAND:		\$14,474,566.76	\$12,529,880.53	\$1,944,686.23

CAPITAL REPLACEMENT / IMPROVEMENT RESERVE

Beginning Balance: 7/1/2023		\$10,559,975.25		
Transfer from General Fund		0.00		
Transfer to General Fund		0.00		
BALANCE ON HAND:	7/31/2023	\$10,559,975.25	\$5,911,438.88	\$4,648,536.37

DEBT SERVICE RESERVE - maximum \$21,145,000

Beginning Balance: 7/1/2023		13,000,000.00		
Transfer from General Fund		0.00		
Transfer Funds to General Fund		0.00		
BALANCE ON HAND:		\$13,000,000.00	\$16,000,000.00	(\$3,000,000.00)

OAKDALE IRRIGATION DISTRICT
FOR THE PERIOD ENDING JULY 31, 2023

DISTRICT CASH AND CASH EQUIVALENTS	7/31/2023	7/31/2022	NET CHANGE
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OPERATING FACILITY PROJECT RESERVE

Beginning Balance: 7/1/2023	10,453,355.86		
Transfer from General Fund	0.00		
Transfer Funds to General Fund	0.00		
BALANCE ON HAND:	\$10,453,355.86	\$4,783,896.01	\$5,669,459.85

MUNICIPAL CONSERVATION PROJECT RESERVE

Beginning Balance: 7/1/2023	7,381.46		
Transfer from General Fund	0.00		
Transfer Funds to General Fund	0.00		
BALANCE ON HAND:	\$7,381.46	\$198,873.49	(\$191,492.03)

RATE STABILIZATION AND OPERATIONS DESIGNATED RESERVE

Beginning Balance: 7/1/2023	\$2,507,937.96		
Transfer from General Fund	0.00		
Transfer Funds to General Fund	0.00		
BALANCE ON HAND: 7/31/12023	\$2,507,937.96	\$7,007,937.96	(\$4,500,000.00)

RURAL WATER SYSTEM CAPITAL REPLACEMENT / IMPROVEMENT RESERVE

Beginning Balance: 7/1/2023	\$1,160,211.76		
Transfer from General Fund	0.00		
Transfer to General Fund	0.00		
BALANCE ON HAND: 7/31/12023	\$1,160,211.76	\$1,085,724.05	\$74,487.71

VEHICLE AND EQUIPMENT REPLACEMENT RESERVE

Beginning Balance: 7/1/2023	\$490,836.93		
Transfer from General Fund	0.00		
Transfer Funds to General Fund	0.00		
BALANCE ON HAND: 7/31/12023	\$490,836.93	\$187,137.19	\$303,699.74

BUILDING AND FACILITIES IMPROVEMENT PROJECT RESERVE

Beginning Balance: 7/1/2023	\$1,025,000.00		
Transfer from General Fund	0.00		
Transfer to General Fund	0.00		
BALANCE ON HAND: 7/31/12023	\$1,025,000.00	\$3,075,000.00	(\$2,050,000.00)

EMPLOYEE COMPENSATION ABSENCES RESERVE

Beginning Balance: 7/1/2023	\$1,009,297.04		
Transfer from General Fund	0.00		
Transfer to General Fund	0.00		
BALANCE ON HAND: 7/31/12023	\$1,009,297.04	\$1,074,203.21	(\$64,906.17)

OAKDALE IRRIGATION DISTRICT
FOR THE PERIOD ENDING JULY 31, 2023

DISTRICT CASH AND CASH EQUIVALENTS	7/31/2023	7/31/2022	NET CHANGE
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RESTRICTED FUNDS

IMPROVEMENT DISTRICT'S FUNDS

Beginning Balance: 7/1/2023	\$1,564,021.54		
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Receipts	69,450.59		
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Expenditures	(23,779.27)		
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BALANCE ON HAND:	7/31/12023	\$1,609,692.86	\$1,526,164.67	\$83,528.19
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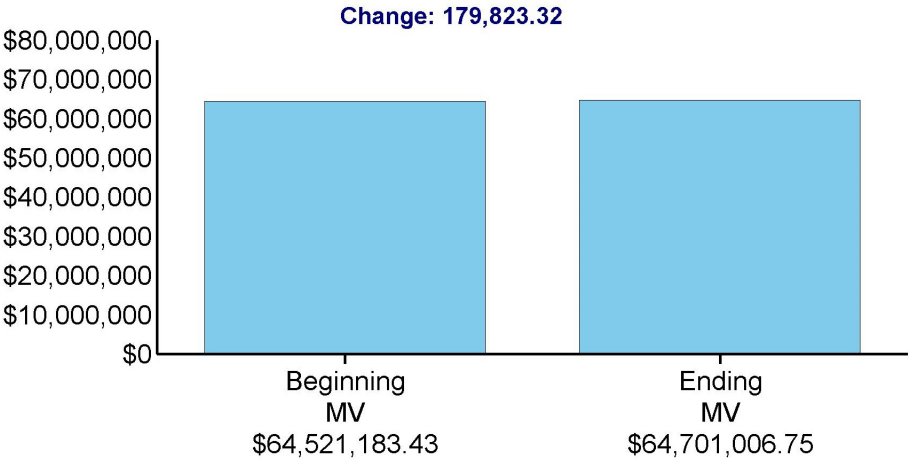
FILED: August 23, 2023 STATE OF CALIFORNIA / COUNTY OF STANISLAUS



OAKDALE IRRIGATION DIST

MARKET VALUE SUMMARY

	Current Period 07/01/23 to 07/31/23
Beginning Market Value	\$64,521,183.43
Taxable Interest	60,197.77
Change in Investment Value	119,625.55
Ending Market Value	\$64,701,006.75

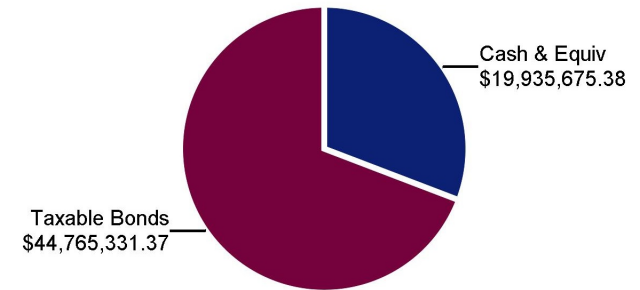
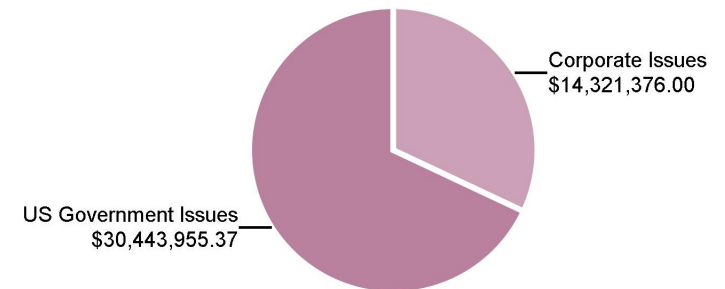




OAKDALE IRRIGATION DIST

Page 2 of 14
July 1, 2023 to July 31, 2023**ASSET SUMMARY**

Assets	Current Period Market Value	% of Total	Estimated Annual Income
Cash & Equivalents	19,935,675.38	30.80	1,064,296.66
Taxable Bonds	44,765,331.37	69.20	1,506,013.55
Total Market Value	\$64,701,006.75	100.00	\$2,570,310.21

**Fixed Income Summary**



OAKDALE IRRIGATION DIST

INCOME SUMMARY

	Income Received Current Period
Taxable Interest	60,197.77
Total Current Period Income	\$60,197.77



OAKDALE IRRIGATION DIST

Page 4 of 14
July 1, 2023 to July 31, 2023**CASH SUMMARY**

	Cash
Beginning Cash 07/01/2023	\$0.00
Taxable Interest	60,197.77
Purchases	-19,135,511.67
Sales	3,162,776.00
Net Money Market Activity	15,912,537.90
Ending Cash 07/31/2023	\$0.00



OAKDALE IRRIGATION DIST

Page 5 of 14
July 1, 2023 to July 31, 2023

ASSET DETAIL

Security Description

Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Cash & Equivalents							
Cash/Money Market							
Fidelity Govt Portfolio CI I - 316175108 #57							
3,962,622.380	1.0000	3,962,622.38	3,962,622.38	0.00	6.1	207,046.03	5.22
Lloyds Bk Corporate Mkts Plc C P - 53948BXQ7 10/24/2023							
3,100,000.000	98.7170	3,060,227.00	2,988,379.33	71,847.67	4.7	154,324.03	5.04
Mufg Bank Ltd Ny Bra C P - 62479MYM9 11/21/2023							
1,950,000.000	98.2640	1,916,148.00	1,912,588.17	3,559.83	3.0	110,123.53	5.75
National Secs Clearing C P - 63763QV20 08/02/2023							
1,500,000.000	99.9860	1,499,790.00	1,480,488.33	19,301.67	2.3	77,410.43	5.16
National Secs Clearing C P - 63763QX28 10/02/2023							
1,400,000.000	99.0530	1,386,742.00	1,382,925.06	3,816.94	2.1	75,088.59	5.41
Natixis N Y Brh Disc Coml C P - 63873KZ42 12/04/2023							
3,000,000.000	98.0350	2,941,050.00	2,925,940.00	15,110.00	4.5	167,900.00	5.71
Standard Chartered Bk US Disc C P - 85324UV75 08/07/2023							
2,175,000.000	99.9120	2,173,086.00	2,124,152.13	48,933.87	3.4	111,804.05	5.14



OAKDALE IRRIGATION DIST

Page 6 of 14
July 1, 2023 to July 31, 2023**ASSET DETAIL (continued)****Security Description**

	Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Sumitomo Mitsui Tr Bk Ltd Ny C P - 86563HVA5 08/10/2023	3,000,000.000	99.8670	2,996,010.00	2,955,560.00	40,450.00	4.6	160,600.00	5.36
Total Cash/Money Market			\$19,935,675.38	\$19,732,655.40	\$203,019.98	30.8	\$1,064,296.66	
Total Cash & Equivalents			\$19,935,675.38	\$19,732,655.40	\$203,019.98	30.8	\$1,064,296.66	

Taxable Bonds**US Government Issues**

Federal Home Loan Bks - 313384ST7 Discount Note 02/06/2024	1,707,000.000	97.3230	1,661,303.61	1,652,938.36	8,365.25	2.6	90,516.05	5.45
Federal Home Loan Bks - 3130ARHG9 2.125 02/28/2024	5,000,000.000	98.1260	4,906,300.00	4,963,280.00	-56,980.00	7.6	106,250.00	2.17
Federal Farm Credit Bks - 3133ENWP1 2.625 05/16/2024	5,000,000.000	97.7490	4,887,450.00	4,993,595.00	-106,145.00	7.6	131,250.00	2.68
Federal Home Loan Bks - 3130A1XJ2 2.875 06/14/2024	4,900,000.000	97.8320	4,793,768.00	4,919,727.40	-125,959.40	7.4	140,875.00	2.94
Federal Home Loan Bks - 3130AV7L0 5.000 02/28/2025	5,000,000.000	100.1070	5,005,350.00	4,988,100.00	17,250.00	7.7	250,000.00	4.99
F N M A Deb - 3135G03U5 0.625 04/22/2025	4,512,000.000	92.6980	4,182,533.76	4,188,670.08	-6,136.32	6.5	28,200.00	0.67



OAKDALE IRRIGATION DIST

Page 7 of 14
July 1, 2023 to July 31, 2023**ASSET DETAIL (continued)****Security Description**

	Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Federal Home Loan Bks - 3130AWLY4 5.125 06/13/2025	5,000,000.000	100.1450	5,007,250.00	5,010,290.00	-3,040.00	7.7	256,250.00	5.12
Total US Government Issues			\$30,443,955.37	\$30,716,600.84	-\$272,645.47	47.1	\$1,003,341.05	

Corporate Issues

Toyota Motor Credit Corp - 89236THF5 Medium Term Note 0.500 08/14/2023	1,250,000.000	99.8300	1,247,875.00	1,251,250.00	-3,375.00	1.9	6,250.00	0.50
Jpmorgan Chase Co - 46625HJT8 Medium Term Note 3.875 02/01/2024	1,300,000.000	99.1330	1,288,729.00	1,417,936.00	-129,207.00	2.0	50,375.00	3.91
Pub Svc Elec Gas - 74456QBD7 Medium Term Note 3.750 03/15/2024	2,000,000.000	98.7630	1,975,260.00	1,975,680.00	-420.00	3.1	75,000.00	3.80
Bank Of America Corp - 06051GFF1 Medium Term Note 4.000 04/01/2024	1,770,000.000	98.8640	1,749,892.80	1,754,070.00	-4,177.20	2.7	70,800.00	4.05
Massmutual Gbl Fdg II Mtn - 57629XBR8 Medium Term Note 2.750 06/22/2024	2,000,000.000	97.4040	1,948,080.00	1,954,020.00	-5,940.00	3.0	55,000.00	2.82
Entergy La LLC L P - 29364WBK3 0.950 10/01/2024	1,155,000.000	94.8840	1,095,910.20	1,091,856.15	4,054.05	1.7	10,972.50	1.00



OAKDALE IRRIGATION DIST

Page 8 of 14
July 1, 2023 to July 31, 2023**ASSET DETAIL (continued)****Security Description**

	Shares/Face Amt	Price	Market Value	Tax Cost	Unrealized Gain/Loss	Percent of Total Portfolio	Estimated Annual Income	Estimated Current Yield
Caterpillar Finl Svcs Mtns - 14913R2Y2 Medium Term Note 4.900 01/17/2025	2,000,000.000	99.7680	1,995,360.00	2,013,940.00	-18,580.00	3.1	98,000.00	4.91
John Deere Capital Corporation - 24422EWW5 Medium Term Note 4.950 06/06/2025	2,000,000.000	99.9530	1,999,060.00	1,998,880.00	180.00	3.1	99,000.00	4.95
State Street Corp - 857477AT0 3.550 08/18/2025	1,050,000.000	97.2580	1,021,209.00	1,016,316.00	4,893.00	1.6	37,275.00	3.65
Total Corporate Issues			\$14,321,376.00	\$14,473,948.15	-\$152,572.15	22.1	\$502,672.50	
Total Taxable Bonds			\$44,765,331.37	\$45,190,548.99	-\$425,217.62	69.2	\$1,506,013.55	
Total Assets			\$64,701,006.75	\$64,923,204.39	-\$222,197.64	100.0	\$2,570,310.21	
Estimated Current Yield								3.97

ASSET DETAIL MESSAGES

Time of trade execution and trading party (if not disclosed) will be provided upon request.

Publicly traded assets are valued in accordance with market quotations or valuation methodologies from financial industry services believed by us to be reliable. Assets that are not publicly traded may be reflected at values from other external sources. Assets for which a current value is not available may be reflected at a previous value or as not valued, at par value, or at a nominal value. Values shown do not necessarily reflect prices at which assets could be bought or sold. Values are updated based on internal policy and may be updated less frequently than statement generation.

Estimated Current Yield and Estimated Annual Income are estimates provided for informational purposes only and should not be relied on for making investment, trading, or tax decisions. The estimates may not represent the actual value earned by your investments and they provide no guarantee of what your investments may earn in the future.



OAKDALE IRRIGATION DIST

Page 9 of 14
July 1, 2023 to July 31, 2023

TRANSACTION DETAIL

Date Posted	Activity	Description	Cash	Tax Cost
Beginning Balance 07/01/2023			\$0.00	\$64,863,006.62
07/03/23	Cash Receipt	Cash Receipt Interest Received Ub Conversion Liquidation 31617510S	10,758.78	
07/03/23	Purchase	Purchased 1,707,000 Par Value Of F H L B Disc Nts 2/06/24 Trade Date 6/30/23 Purchased Through Mizuho Securities USA Inc. Swift External Ref#: 8318102112540619 1,707,000 Par Value At 96.83294435 %	-1,652,938.36	1,652,938.36
07/03/23	Purchase	Purchased 5,000,000 Par Value Of F H L B Deb 5.000% 2/28/25 Trade Date 6/30/23 Purchased Through Toronto Dominion Securities (U Swift External Ref#: 8318102112540927 5,000,000 Par Value At 99.762 %	-4,988,100.00	4,988,100.00
07/03/23	Purchase Accrued Interest	Paid Accrued Interest On Purchase Of F H L B Deb 5.000% 2/28/25 Income Debit 83,333.33- USD	-83,333.33	
07/03/23	Asset Income	Interest Earned On Fidelity Govt Port Cl I Interest From 6/1/23 To 6/30/23	63,883.73	
07/11/23	Sale	Matured 1,600,000 Par Value Of Cpnational Secs Clea C P 7/11/23 Trade Date 7/11/23 1,600,000 Par Value At 100 %	1,588,666.67	-1,588,666.67
07/11/23	Asset Income	Interest Earned On Cpnational Secs Clea C P 7/11/23 1,600,000 Par Value At 100 %	11,333.33	
07/11/23	Purchase	Purchased 1,400,000 Par Value Of National Secs Clearing C P 10/02/23 Trade Date 7/11/23 Purchased Through Rbc Capital Markets, LLC Purchased On The Off-Exchange Transactions - Li Swift External Ref#: 8319202112576335 1,400,000 Par Value At 98.78036143 %	-1,382,925.06	1,382,925.06



OAKDALE IRRIGATION DIST

Page 10 of 14
July 1, 2023 to July 31, 2023**TRANSACTION DETAIL (continued)**

Date Posted	Activity	Description	Cash	Tax Cost
07/17/23	Purchase	Purchased 4,512,000 Par Value Of F N M A Deb 0.625% 4/22/25 Trade Date 7/14/23 Purchased Through Rbc Capital Markets, LLC Swift External Ref#: 8319502112582076 4,512,000 Par Value At 92.834 %	-4,188,670.08	4,188,670.08
07/17/23	Purchase Accrued Interest	Paid Accrued Interest On Purchase Of F N M A Deb 0.625% 4/22/25 Income Debit 6,658.33- USD	-6,658.33	
07/17/23	Asset Income	Interest Earned On Caterpillar Finl Mtn 4.900% 1/17/25 0.0245 USD/\$1 Pv On 2,000,000 Par Value Due 7/17/23	49,000.00	
07/20/23	Sale	Matured 1,600,000 Par Value Of Mufg Bk Ltd N Y Brh C P 7/20/23 Trade Date 7/20/23 1,600,000 Par Value At 100 %	1,574,109.33	-1,574,109.33
07/20/23	Asset Income	Interest Earned On Mufg Bk Ltd N Y Brh C P 7/20/23 1,600,000 Par Value At 100 %	25,890.67	
07/20/23	Purchase	Purchased 1,950,000 Par Value Of Mufg Bank Ltd C P 11/21/23 Trade Date 7/20/23 Purchased Through J.P. Morgan Securities LLC Purchased On The Off-Exchange Transactions - Li Swift External Ref#: 8320102112587953 1,950,000 Par Value At 98.08144462 %	-1,912,588.17	1,912,588.17
07/25/23	Purchase	Purchased 5,000,000 Par Value Of F H L B Deb 5.125% 6/13/25 Trade Date 7/24/23 Purchased Through Barclays Capital Inc. Fixed In Swift External Ref#: 8320502112590332 5,000,000 Par Value At 100.2058 %	-5,010,290.00	5,010,290.00
07/25/23	Purchase Accrued Interest	Paid Accrued Interest On Purchase Of F H L B Deb 5.125% 6/13/25 Income Debit 10,677.08- USD	-10,677.08	
	Purchase	Combined Purchases For The Period 7/ 1/23 - 7/31/23 Of Fidelity Govt Port Cl I	-3,263,883.73	3,263,883.73



OAKDALE IRRIGATION DIST

TRANSACTION DETAIL (continued)				
Date Posted	Activity	Description	Cash	Tax Cost
	Sale	Combined Sales For The Period 7/ 1/23 - 7/31/23 Of Fidelity Govt Port Cl I	19,176,421.63	-19,176,421.63
Ending Balance 07/31/2023			\$0.00	\$64,923,204.39



OAKDALE IRRIGATION DIST

Page 12 of 14
July 1, 2023 to July 31, 2023**SALE/MATURITY SUMMARY**

	Settlement Date	Description	Tax Cost	Proceeds	Estimated Gain/Loss
Cash and Equivalents					
Cpnational Secs Clea C P					
07/11/2023					
63763QUB1					
	07/11/23	Matured 1,600,000 Par Value Trade Date 7/11/23 1,600,000 Par Value At 100 %	-1,588,666.67	1,588,666.67	
Mufg Bk Ltd N Y Brh Disc Coml C P					
07/20/2023					
62479MUL5					
	07/20/23	Matured 1,600,000 Par Value Trade Date 7/20/23 1,600,000 Par Value At 100 %	-1,574,109.33	1,574,109.33	
Total Cash and Equivalents			-\$3,162,776.00	\$3,162,776.00	\$0.00
Total Sales & Maturities			-\$3,162,776.00	\$3,162,776.00	\$0.00

SALE/MATURITY SUMMARY MESSAGES

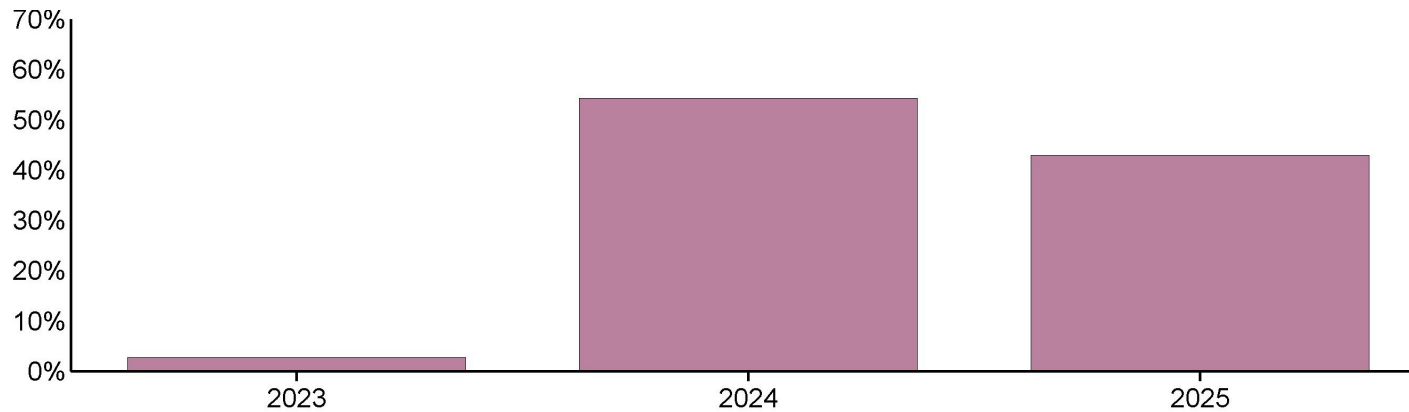
Estimated Year-To-Date Short-Term Gain (Loss): (\$56,791.50)

Estimated Year-To-Date Long-Term Gain (Loss): (\$589,474.72)

Estimates should not be used for tax purposes



OAKDALE IRRIGATION DIST

Page 13 of 14
July 1, 2023 to July 31, 2023**BOND SUMMARY**

	Par Value	Market Value	Percentage of Category
MATURITY			
2023	1,250,000.00	1,247,875.00	2.79
2024	24,832,000.00	24,306,693.61	54.30
2025	19,562,000.00	19,210,762.76	42.91
Total of Category	\$45,644,000.00	\$44,765,331.37	100.00

MOODY'S RATING

Aaa	29,412,000.00	28,782,651.76	64.30
Aa3	2,000,000.00	1,948,080.00	4.35
A1	7,370,000.00	7,282,965.80	16.27
A2	5,155,000.00	5,090,330.20	11.37
N/A	1,707,000.00	1,661,303.61	3.71
Total of Category	\$45,644,000.00	\$44,765,331.37	100.00



OAKDALE IRRIGATION DIST

Page 14 of 14
July 1, 2023 to July 31, 2023**BOND SUMMARY (continued)**

	Par Value	Market Value	Percentage of Category
S&P RATING			
AA+	31,412,000.00	30,730,731.76	68.65
A+	1,250,000.00	1,247,875.00	2.79
A	8,205,000.00	8,086,799.20	18.06
A-	3,070,000.00	3,038,621.80	6.79
N/A	1,707,000.00	1,661,303.61	3.71
Total of Category	\$45,644,000.00	\$44,765,331.37	100.00

BOND SUMMARY MESSAGES

Data contained within this section excluded Mutual Funds, Exchange Traded Funds, and Closed-Ended Funds.

OAKDALE IRRIGATION DISTRICT



MONTHLY FINANCIAL STATEMENTS

July 31, 2023

FOR INTERNAL REPORTING PURPOSES ONLY

OAKDALE IRRIGATION DISTRICT



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Oakdale Irrigation District
Statement of Net Position
July 31, 2023 and 2022



	2023	2022	Change
ASSETS			
Current assets:			
Cash and cash equivalents	\$ 5,483,866	\$ 3,544,892	\$ 1,938,974
Restricted Cash and cash equivalents	1,609,693	1,583,035	26,658
Investments	64,701,007	63,864,661	836,345
Receivables			
Accrued Interest	-	121,906	(121,906)
Annexation fees	1,308,921	1,308,921	-
Agricultural water fees	-	765,031	(765,031)
Due from other governmental agencies	-	2,261	(2,261)
Miscellaneous	22,866	154,345	(131,479)
Domestic water fees	17,212	18,112	(900)
Inventory of materials and supplies	848,935	828,417	20,518
Prepaid expenses	401,742	396,916	4,826
Due from Improvement Districts	24,822	18,252	6,571
Total current assets	74,419,064	72,606,748	1,812,316
Noncurrent assets:			
Accounts receivable - delinquencies	2,615	1,199	1,416
Due from other governmental agencies	-	297,277	(297,277)
Annexation fees receivable	10,395,574	11,654,778	(1,259,204)
Investments in Tri-Dam Project/Authority	59,316,999	58,615,544	701,455
Capital assets:			
Not being depreciated	11,320,298	7,799,533	3,520,765
Being depreciated, net	104,222,420	104,544,160	(321,740)
Total noncurrent assets	185,257,907	182,912,491	2,345,415
Total assets	259,676,970	255,519,240	4,157,731
Deferred outflows of resources			
Pensions	2,372,153	760,863	1,611,290
Bonds	2,620,565	2,784,350	(163,785)
Total deferred outflows of resources	4,992,718	3,545,213	1,447,505
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	264,669,688	259,064,453	5,605,235
LIABILITIES			
Current liabilities:			
Payable from nonrestricted assets			
Accounts payable	295,239.07	141,657	153,582
Accrued salaries, wages and related benefits	921,358	860,492	60,866
Unearned revenue	76	313,636	(313,560)
Deposits payable	512,897	22,529	490,368
Due to Improvement Districts	22,833	17,174	5,658
Claims payable	75,000	50,000	25,000
Long-term liabilities, due within one-year	24,801	-	24,801
Total current liabilities	1,852,204	1,405,488	446,715
Noncurrent liabilities:			
Long-term liabilities, due in more than one-year, net	22,946,039	24,207,478	(1,261,439)
Pensions	6,348,945	2,320,868	4,028,077
Total noncurrent liabilities	29,294,984	26,528,346	2,766,638
TOTAL LIABILITIES	31,147,188	27,933,834	3,213,354
DEFERRED INFLOWS OF RESOURCES			
Pensions	-	2,025,996	(2,025,996)
Total deferred inflows of resources	-	2,025,996	(2,025,996)
Net Position			
Net investment in capital assets	93,428,108	89,208,529	4,219,578
Restricted	1,609,693	1,583,035	26,658
Unrestricted	138,484,700	138,313,058	171,642
TOTAL NET POSITION	\$ 233,522,500	\$ 229,104,623	\$ 4,417,878

FOR INTERNAL REPORTING PURPOSES ONLY

Page 1

Oakdale Irrigation District
Statement of Revenues, Expenses, and Changes in net position
For the One Month and Seven Months Ended July 31, 2023



	Current Month	YTD Actual	2023 Budget	Budget Remaining	% of 2023 Budget Remaining
Operating revenues:					
Agricultural water deliver charges (base rate)	\$ -	\$ 2,257,195	\$ 2,263,000	\$ 5,805	0%
Water sales	(46)	1,071,989.93	3,081,900	2,009,910	65%
Domestic water delivery fee	27,436	118,026	247,000	128,974	52%
Improvement District Fees	-	-	58,820	58,820	100%
Other water related revenues	709	73,380	69,000	(4,380)	0%
Total operating revenues	28,099	3,520,591	5,719,720	2,199,129	38%
Operating expenses:					
Operation and maintenance	729,686	4,082,320	6,763,470	2,681,150	40%
Water operations	517,872	2,256,363	4,195,220	1,938,857	46%
General and administrative	98,840	1,601,148	3,514,455	1,913,307	54%
Depreciation / amortization	290,000	1,970,000	3,585,000	1,615,000	45%
Total operating expenses	1,636,398	9,909,832	18,058,145	8,148,313	45%
Operating Income (loss)	(1,608,298)	(6,389,240)	(12,338,425)	(5,949,185)	48%
Nonoperating revenues (expenses):					
County property tax appropriations	8,354	1,670,409	3,500,000	1,829,591	52%
Net Investment income (loss)	38,808	1,436,448	725,000	(711,448)	0%
Gain (loss) sale of assets	-	6,171	-	(6,171)	0%
Debt service interest	(463,152)	(559,273)	(995,000)	(435,727)	44%
Tri-Dam Project distributions	-	4,380,000	7,000,000	2,620,000	37%
Tri-Dam Power Authority distributions	-	2,200,000	2,100,000	(100,000)	0%
Other non-operating revenue	1,000	7,000	12,000	5,000	42%
Total non-operating rev. (exp.)	(414,990)	9,140,754	12,342,000	3,201,246	26%
	(2,023,288)	2,751,514	3,575	(2,747,939)	
Capital contributions	-	3,434	-	-	
Change in net position	\$ (2,023,288)	\$ 2,754,948	\$ 3,575	\$ (2,747,939)	0%
Capital expenditures & debt obligations	\$ 244,804	\$ 2,726,490	\$ 24,378,300	\$ 21,651,810	89%

Oakdale Irrigation District
Revenue Summary
For the One Month and Seven Months Ended July 31, 2023



	Current Month	YTD Actual	2023 Budget	Budget Remaining	% of 2023 Budget Remaining
Operating revenues					
Agricultural water service fees					
Tier 1	\$ -	\$ 1,998,687	\$ 2,005,000	\$ 6,313	0%
Tier 2	-	258,508	258,000	(508)	0%
Water sales					
Tier 1	(46)	209,246	695,000	485,754	70%
Tier 2	-	321,336	786,900	465,564	59%
Local out-of-district	-	421,408	1,600,000	1,178,592	74%
Out-of-district	-	120,000	-	(120,000)	0%
Domestic water sales	27,436	118,026	247,000	128,974	52%
Improvement District Admin Fees	-	-	58,820	58,820	100%
Miscellaneous revenues					
Service Charges & Penalties	709	73,380	69,000	(4,380)	0%
Total Operating Revenue	28,099	3,520,591	5,719,720	2,199,129	38%
Non-operating revenues					
County property tax appropriations	8,354	1,670,409	3,500,000	1,829,591	52%
District Rental Properties	1,000	7,000	12,000	5,000	42%
Domestic Annexation Revenue		-	-	-	0%
Investment earnings					0%
Investment earnings (Loss)	(190,938)	1,198,608	325,000	(873,608)	0%
Other Interest income	229,746	237,840	400,000	162,160	41%
Gain (loss) sale of assets	-	6,171	-	(6,171)	0%
Change in investment Tri-Dam Project	-	4,380,000	7,000,000	2,620,000	37%
Change in investment Tri-Dam Authority	-	2,200,000	2,100,000	(100,000)	0%
Total Nonoperating Revenues	48,163	9,700,027	13,337,000	3,636,973	27%
Capital Contributions	-	3,434	-	(3,434)	
Total Revenues	\$ 76,262.12	\$ 13,224,052.55	\$ 19,056,720	\$ 5,832,667	31%

Oakdale Irrigation District
Operating Expenses Summary
For the One Month and Seven Months Ended July 31, 2023



	Current Month	YTD Actual	2023 Budget	Budget Remaining	% of 2023 Budget Remaining
Operating expenses					
Maintenance					
SSJID Main Supply Diversion Works	\$ -	\$ 13,413	\$ 30,000	\$ 16,587	55%
North Main Canal Maintenance	83,344	432,445	459,930	27,485	6%
South Main Canal Maintenance	108,070	483,162	451,140	(32,022)	0%
Irrigation Water Lateral Maint-North Side	177,420	1,168,175	2,319,650	1,151,475	50%
Irrigation Water Lateral Maint - South Side	141,912	779,539	1,566,650	787,111	50%
Pumping Plant Operations and Maintenance	66,440	244,808	456,520	211,712	46%
Drainage System Maintenance	63,721	359,638	435,890	76,252	17%
Building and Grounds Maintenance	25,221	214,393	344,210	129,817	38%
Vehicle and Equipment Maintenance	63,557	386,748	699,480	312,732	45%
Total Maintenance	729,686	4,082,320	6,763,470	2,681,150	40%
Water Operations					
Domestic Water System Maintenance	55,243	240,623	473,800	233,177	49%
Irrigation Water Operations - North Division	227,625	945,200	1,846,460	901,260	49%
Irrigation Water Operations - South Division	231,820	968,389	1,832,220	863,831	47%
Drainage Water Operations	30	91,622	18,660	(72,962)	0%
Water Measurement Management	3,154	10,529	24,080	13,551	56%
Total Water Operations	517,872	2,256,363	4,195,220	1,938,857	46%
General and Administrative					
General and Administrative	98,840	1,601,148	3,514,455	1,913,307	54%
Depreciation and Amortization	290,000	1,970,000	3,585,000	1,615,000	45%
Total General, Administrative and Depreciation	388,840	3,571,148	7,099,455	3,528,307	50%
Total Operating expenses	1,636,398	9,909,832	18,058,145	8,148,313	45%
Non-operating expenses					
Interest and investment expenses	463,152	559,273	995,000	435,727	44%
Total non-operating expenses	463,152	559,273	995,000	435,727	44%
Total Expenses	\$ 2,099,550	\$ 10,469,105	\$ 19,053,145	\$ 8,584,040	45%

Oakdale Irrigation District
Capital and Debt Expenditures
For the Seven Months Ended July 31, 2023



GL ACCOUNT NO.	GL DESCRIPTION	PROJECT DESCRIPTION	2023	2023 ANNUAL BUDGET
00-000-15200-00	Capital Work	Capital construction projects (Water Resources Plan)		
		Canal and Lateral Rehabilitation	\$ 68,219	\$ 458,500
		Domestic Water Projects	-	655,000
		Flow Control and Measurement Structures	151,885	422,000
		Irrigation Service Turnout Replacement	146,249	877,000
		Main Canals and Tunnels Improvement Projects	148,087	-
		Groundwater Wells Replacement	-	250,000
		Outflow Management Projects	-	-
		Pipeline Replacement	741,543	980,800
		Reclamation Projects	-	5,000
		Subtotal for Water Resources Plan Improvements	1,255,983	3,648,300
		Ag Pump Replacements	87,729	80,000
		Operating Headquarters Design	157,965	190,000
		Phase 1 of Greger Facility	-	10,000,000
		North Main Canal Seepage Mitigation Project	138,540	1,500,000
		North Main Canal Tunnels 3 & 4 Rehabilitation Project	-	5,051,000
		Canyon Tunnel - Joint with SSJID (\$1.786M x 28%)	129,380	500,000
		North Main Canal Bridge Replacement	-	100,000
		South Main Canal - Segment 3 Long Term Repair Project	550,477	1,500,000
			2,320,074	22,569,300
00-000-15179-00	Irrigation Flow Meters	Portable Ultrasonic Flowmeter		15,000
00-000-15181-00	Backhoes & Heavy Equipment	Excavator (16.6-17 ton)	230,778	240,000
		Skeleton Bucket for Excavator - Large Size	-	20,000
			230,778	260,000
00-000-15183-00	Miscellaneous Construction Equipment	12" Brush Chipper (Trailer Mounted) (CF from 2022)	-	70,000
		25KW Trailer Mounted Generator	-	38,000
		Pest Sprayer for RTV	-	2,000
			-	110,000
00-000-15184-00	Autos/Pickups/Trucks/ Trailers	1/2 Ton Pickup 2WD (DSO)	42,639	45,000
		3/4 Ton Pickup 4WD (C&M) - 2	112,734	120,000
		Dump truck, 3-axle (diesel)		275,000
			155,373	440,000
00-000-15186-00	Shop/Whse/Yard	Mini Split AC Unit for C&M Supervisor Office	5,400	4,000
		Ice Machine	5,944	-
			11,344	4,000
00-000-15187-00	Office and Engineering Equipment	Computer upgrades and replacements	-	10,000
		Engineering GPS Unit (Purchase or Lease)		50,000
			-	60,000
00-000-15188-00	Communications Equipment	SCADA Radios	8,921	-
			8,921	-
		TOTAL CAPITAL PROJECTS AND PURCHASES EXPENDITURES	2,726,490	23,458,300
00-000-22320-00	Current portion - COP Debt		-	920,000
		TOTAL CAPITAL AND DEBT EXPENDITURES	\$ 2,726,490	\$ 24,378,300

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FOR INTERNAL REPORTING PURPOSES ONLY

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 9
APN: N/A

SUBJECT: APPROVE PURCHASE OF ONE (1) 2024 THREE AXLE CLASS EIGHT DUMP TRUCK FROM INTERSTATE TRUCK CENTER

RECOMMENDED ACTION: Approve Purchase to Interstate Truck Center for One (1) 2024 Three Axle Class Eight Dump Truck

BACKGROUND AND/OR HISTORY:

The District's purchasing policy allows for participation in cooperative purchasing organizations providing that the cooperative agreement is established following a competitive bid process. Sourcewell is a cooperative purchasing organization that follows a competitive bidding process that is compliant with the District's policy.

The Sourcewell request for proposal (RFP) process awarded contract #060920 to Peterbilt Motors Company and several other vendors. Interstate Truck Center, dba Valley Peterbilt located in Turlock, is the local vendor for Peterbilt Motors Company. Through Sourcewell Contract #060920-PMC we will receive the lowest bid available from the RFP completed for the Dump Truck.

Staff's recommendation is to purchase one (1) new 2024 class eight three axle dump truck from Interstate Truck Center for \$232,871.99. The amount included in the 2023 budget is \$275,000. The required budget amount (\$235,000) will be carried forward into the 2024 Capital Budget because we anticipate that the dump truck will not be received and paid for until 2024.

FISCAL IMPACT: \$232,871.99 (Budgeted \$275,000.00)

ATTACHMENTS:

- Interstate Truck Center Sales Order
 - Sourcewell Request for Proposal #060920
-

Board Motion:

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

VOTE:

DeBoer (Yes/No) Doornenbal (Yes/No) Orvis (Yes/No) Santos (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

INTERSTATE TRUCK CENTER



dba Valley Peterbilt

2110 S. Sinclair Ave
Stockton, CA 95215
ph: 209-944-5821 - fx: 209-942-2182

5837 N. Goldenstate Blvd
Turlock, CA 95382
ph: 209-669-5444 - fx: 209-669-9674

Sourcewell Contract # 060920-PMC

Sold To: Oakdale Irrigation District Address: 1205 East F Street Oakdale CA 95361 Contact: David Skokan Number: 209-968-4145 E-Mail: dskokan@oakdaleirrigation.com Fax:		Ship To: Oakdale Irrigation District Address: 1205 East F Street Oakdale CA 95361 Contact: David Skokan Number: 209-968-4145 E-Mail: dskokan@oakdaleirrigation.com Fax:	
Chassis Information 2024 Peterbilt 567 Paccar MX-13 455hp Allison 4500 RDS-P Dump Truck		List Price	\$ 244,823.00
		Sourcewell Disc.	25.00%
Sourced Goods / Open-Market Items Finishing Prep Detail & Floor Mats Western Construction Comp. - Dump Body 15' CAR 5yr / 350k Emissions Warranty Dealer Provided Discount		Chassis Price	\$ 183,617.25
			Included
			Included
			\$ 38,050.00
			Included
			\$ (12,482.31)
Non-Taxable Items Flooring 3.5% 120 Days Ext Warr. - Paccar Engine - 5yr / 200k Transport Costs			\$ 2,112.86
			\$ 2,402.00
			\$ 1,500.00
		Number of Units	1
Notes Customer to Provide FET Exemption Form ITC to provide DMV Exempt Plate		Subtotal	\$ 215,199.80
		Sales Tax Rate	8.380%
		Sales Tax	\$ 17,529.70
Authorized Signature _____ Purchasing Agent _____ Purchase Order Number _____ Date _____		F.E.T.	0.00%
		EXEMPT	\$ -
		DMV Fees	\$ 125.00
		CA Tire Tax	\$ 17.50
		Total Invoice	\$ 232,871.99



COMMENT AND REVIEW
to the
REQUEST FOR PROPOSAL (RFP) 060920
Entitled

Class 4-8 Chassis with Related Equipment, Accessories, and Services

The following advertisement was placed April 16, 2020 in Utah's *The Salt Lake Tribune*, in *USA Today*, in South Carolina's *The State*, and on the Sourcewell website www.sourcewell-mn.gov, Sourcewell Procurement Portal <https://proportal.sourcewell-mn.gov>, Biddingo, Merx, The New York State Contract Reporter www.nyscr.ny.gov, PublicPurchase.com, and April 17, 2020 in Oregon's *Daily Journal of Commerce*:

Sourcewell, a State of Minnesota local government agency and service cooperative, is requesting proposals for Class 4-8 Chassis with Related Equipment, Accessories, and Services to result in a contracting solution for use by its Participating Entities. Sourcewell Participating Entities include thousands of governmental, higher education, K-12 education, nonprofit, tribal government, and other public agencies located in the United States and Canada. A full copy of the Request for Proposals can be found on the Sourcewell Procurement Portal [<https://proportal.sourcewell-mn.gov>]. Only proposals submitted through the Sourcewell Procurement Portal will be considered. Proposals are due no later than June 9, 2020, at 4:30 p.m. Central Time, and late proposals will not be considered.

The solicitation process was conducted through the Sourcewell Procurement Portal. The following parties expressed interest in the solicitation by registering for this opportunity within the portal:

72 HOUR LLC	J. B. Poindexter & Co. Inc.
ADOMANI, Inc.	Kenworth Truck Company, Division of PACCAR Inc.
ALL SOUTH SHORE MEDICAL SUPPLY INC	Lion Buses Inc
Amthor International	LOS ANGELES TRUCK CENTERS
ARCH EQUIPMENT GROUP LLC	Mack Trucks
ATS Traffic	Mitsubishi Fuso Truck of America, Inc.
Autocar Truck, LLC	Motiv Power Systems
Beaufurn	Motor Power Equipment Co
BOYER FORD TRUCKS SIOUX FALLS INC	Navistar, Inc
Boyer Ford Trucks, Inc.	PB Loader Corporation
Brandt Truck Rigging & Trailers	Peterbilt Motors Company
BRANDT TRUCK RIGGING & TRAILERS	Peterbilt Motors of New York City, LLC
Buckeye Truck Equipment Inc. BYD Motors LLC	Phenix Enterprises, Inc.
BYD Motors LLC	Phoenix Cars LLC

Cal-Lift, Inc.	Prime Vendor Inc.
Certified Stainless Service, Inc.	Prisoner Bench LLC.
Cervus Equipment Peterbilt	Recycle Coach
Chapman Ford of Horsham	Redhead Equipment
Chas S Winner Inc	Rush Enterprises Inc
Crane Carrier Company	SEA Electric LLC
Custom Truck & Equipment LLC	Sheridan County
Custom Truck Equipment	Stellar Industries, Inc.
Daimler Trucks North America	Sterling Truck and Trailer Sales Ltd
Dejana Truck & Utility Equipment Comp, LLC	Structural Metal Fabricators Inc.
Doggett Freightliner of Arkansas	Sunbelt Rentals of Canada
Don Brown Bus Sales, Inc.	TEC Equipment
Dunlop Western Star Truck Centres Ltd.	TGT TRANSPORT, INC.
Eco Vehicle Systems LLC	Tom Graddy Enterprises of Austin, LLC
eRepublic, Inc.	Transport Equipment, Inc.
Expertec Van Systems Inc.	Transteck, Inc.
Federal Contracts Corp	US Fire Equipment, LLC
H & H SALES COMPANY INC	Valor Holdings LLC
Hempstead Lincoln Mercury Motors Corp.	Viking Cives Midwest Inc.
HENDERSON PRODUCTS INC	Volvo Trucks North America, LLC
Hino Motors Sales U.S.A., Inc.	Warner Industries Ltd
Hunter Truck Buffalo	Warren Equipment Inc
I State Truck Center	Western Star Trucks (North) Ltd.
Industrial Power LLC	

All Proposals remained sealed within the Sourcewell Procurement Portal until the scheduled due date and time. Proposals were electronically opened, and the list of all Proposers was made publicly available on the Sourcewell Procurement Portal, on June 9, 2020 at 4:32 pm CT. Proposals were received from the following:

72 HOUR, LLC
 ADOMANI, Inc.
 Amthor International
 Autocar Truck, LLC
 Boyer Ford Trucks, Inc.
 BYD Motors, LLC
 Certified Stainless Service, Inc.
 Chas S Winner, Inc.
 Crane Carrier Company
 Daimler Trucks North America
 Don Brown Bus Sales, Inc.
 Eco Vehicle Systems, LLC.
 Federal Contracts Corp.
 Hino Motors Sales U.S.A., Inc.
 Industrial Power, LLC
 Kenworth Truck Company, Division of PACCAR, Inc.

Lion Buses, Inc.
LOS ANGELES TRUCK CENTERS
Mack Trucks
Navistar, Inc.
Peterbilt Motors Company
Phoenix Cars, LLC
Redhead Equipment
Structural Metal Fabricators, Inc.
Volvo Trucks North America, LLC

Proposals were reviewed by the Proposal Evaluation Committee:

Greg Grunig, Procurement Lead Analyst
Carol Jackson, Procurement Analyst
Brandon Town, Procurement Analyst
Craig West, Procurement Analyst

The findings of the Proposal Evaluation Committee are summarized as follows:

The Proposal Evaluation Committee applied the Sourcewell RFP evaluation criteria and determined that all proposal responses met the scope and mandatory submittal requirements and were evaluated.

Autocar Truck, LLC is a medium and heavy-duty truck manufacturer selling and servicing Class 7 and 8 chassis. They bring four product lines in a variety of configurations, including options for CNG. Their dealer network has a presence in all states and provinces and their products are backed by a solid warranty. Autocar Truck is offering Sourcewell Participating Agencies competitively discounted pricing.

Certified Stainless Service, Inc. dba West-Mark, is offering their full line of Class 4-8 chassis, as well as turn-key truck solutions including D.O.T. Code tanks, vacuum tanks and specialty equipment of all types in stainless steel, aluminum, and mild steel. They provide customer service to Sourcewell Participating Entities in the United States and Canada. West-Mark offers a significant discount on their products along with volume discounts.

Crane Carrier Company is a chassis manufacturer offering a wide selection of class 6, 7 and 8 low-entry chassis available in diesel, CNG and electric-hybrid options. Their chassis are backed by a solid warranty with optional extended warranty and service contract options. Sourcewell Participating Agencies in the US and Canada will be able to receive sales and service support through a large dealership network. Crane Carrier Company is offering a competitive discount off of catalog pricing.

Kenworth Truck Company offers truck chassis in Classes 5, 6, 7 and 8 that are available at over 400 dealers in the United States and Canada. Their technology advances include increased safety, improved fuel economy, navigation systems, diagnostic tools and proactive diagnostic and repair planning before the truck reaches the shop. Kenworth Truck Company is offering Sourcewell Participating Entities a solid discount off their list pricing.

Lion Buses is a zero-emission heavy-duty battery electric truck and bus manufacturer, that has a proven track record with vehicle ranges of up to 250 miles per charge. Their trucks feature a tight turning radius, and

optimization of visibility to enhance safety. Lion offers Participating entities volume discounts along with their substantial discounted list pricing.

Mack Trucks, Inc. includes truck chassis alternatives in Class 6, 7 and 8 with sales through 432 dealer locations in the United States and Canada. They have a dedicated UpTime Center staffed with over 600 people providing live support 24/7/365. All Mack powered trucks come standard with connectivity and remote monitoring of the Mack engine, transmission and after-treatment systems. Sourcewell Participating Entities will have access to a variety of financing and leasing options, significant discounts, and extended service plans.

National Auto Fleet Group is offering class 4-8 chassis from 11 different manufacturers including Ford, RAM FCA, Chevrolet, HINO, ISUZU, International, Volvo, Freightliner/Western Star, MACK, Kenworth and Peterbilt. Through their direct sales force and dealerships, as well as their manufacturer partner dealer networks, they are able to sell and serve across the United States and Canada. Participating entities will receive a solid discount off MSRP.


Navistar manufactures and offers a large selection of class 4-8 chassis models to fulfill participating entity needs. Navistar is offering a considerable discount. Their extensive dealer network is positioned to serve the needs of Sourcewell participating entities across North America.

Peterbilt Motors Company is a manufacturer offering a comprehensive selection of class 5-8 truck chassis with a variety of configurations available. Participating Agencies will receive a solid discount off of list price and have access to a full range of financing options. Technological and green advances are available in their product line to include a fully electric vehicle. A wide dealer network expands across the United States and Canada and they have seven strategically located parts distribution centers to meet participating entity needs.

For these reasons, the Sourcewell Proposal Review Committee recommends award of Sourcewell Contract #060920 to:

Autocar	060920-ATC
Certified Stainless	060920-CER
Crane Carrier	060920-CRN
Kenworth	060920-KTC
Lion Buses	060920-LON
Mack Trucks	060920-MAK
National Auto Fleet	060920-NAF
Navistar	060920-NVS
Peterbilt	060920-PMC

The preceding recommendations were approved on July 21, 2020.

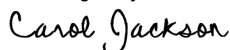
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Greg Grunig, Procurement Lead Analyst

Sourcewell

Page 5 of 5

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Carol Jackson, Procurement Analyst

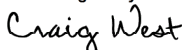
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Brandon Town, Procurement Analyst

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Craig West, Procurement Analyst

STATEMENT OF COMPLIANCE

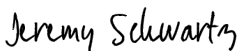
As Chief Procurement Officer for Sourcewell, I have reviewed the recommendation of the Evaluation Committee and the accompanying support materials documenting the process followed for **RFP #060920 for Class 4-8 Chassis with Related Equipment, Accessories, and Services**.

The committee accepted, deemed responsive, evaluated, and recommended proposals for award. Under authority granted to the Chief Procurement Officer in Sourcewell's bylaws, the recommendations set forth above are approved.

I hereby certify:

1. Sourcewell is a government agency, created and authorized by Minnesota law to provide cooperative procurement contracts.
2. The procurement process and resulting contracts have been awarded in compliance with the laws of the State of Minnesota (Minnesota Statutes Chapter 471 and Minnesota Statutes Section 123A.21), and in conformity to Sourcewell's Procurement Policy.

DocuSigned by:



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Jeremy Schwartz, CSSBB, CPPO
Chief Procurement Officer

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 11
APNS: 063-120-27/28

SUBJECT: APPROVE TEMPORARY ENTRY PERMIT WITH BUREAU OF RECLAMATION FOR GRAVEL INJECTION

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The U.S. Bureau of Reclamation (Reclamation) is seeking a new entry permit for their Goodwin Canyon Salmonid Spawning Gravel Project (Project). OID previously issued two consecutive five (5) year entry permits (2012-2016 and 2017-2021) to Reclamation for the same Project. The work includes placement of gravel into the Stanislaus River below Goodwin Dam, generally with the use of a gravel hopper placed on the OID South Main Canal bank. Approximately 20 acre-feet of water would be pulled from the South Main to facilitate the movement of gravel from the hopper and through a flexible pipe down into the river. The California Department of Fish and Wildlife or other private contractors would perform the work for Reclamation.

This new permit is for a five (5) year period (2024-2028) and has been reviewed by Reclamation and OID Staff. Please see the attached documentation for further clarification. Staff recommends approval of the entry permit to Reclamation and will be available to answer any questions that the Board may have.

FISCAL IMPACT: None

ATTACHMENTS:

- Draft Temporary Entry Permit

Board Motion:

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

VOTE

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

TEMPORARY ENTRY PERMIT

Contract No. 17-LC-20-2150

The Oakdale Irrigation District, a Local Agency of the State of California, hereinafter referred to as "District", hereby grants permission to the Bureau of Reclamation, hereinafter referred to as "Reclamation", and its contractors for ingress and egress upon the District's property at APN: 063-120-27-00 and APN: 063-120-28-00, Tuolumne County, State of California (Project Site map attached) for the purpose of increasing and improving Chinook salmon, steelhead and rainbow trout spawning and rearing habitat.

Spawning gravel will be added to existing restoration sites in the reach of the Stanislaus River at river mile 58. Reclamation anticipates that up to 5,000 cubic yards of gravel will be added in 2024 at these existing sites and distributed across the channel to create suitable spawning and rearing habitat conditions for steelhead trout and Chinook salmon. As gravel is distributed downstream by flows, up to 5,000 cubic yards of additional gravel may be added in each subsequent year of the permit term. Gravel will be placed at intervals of one to a few years apart as the need is determined by ongoing monitoring of gravel conditions and fish use of the gravel.

This permit expires December 31, 2028.

Reclamation and its contractors will gain access to the gravel road off Tulloch Road via a locked gate owned by the United States Army Corps of Engineers, cross over the District's bridge and continue on the gravel road to the Stanislaus River. Reclamation and its contractors will adhere to the following:

- Only transfer trucks shall be used to deliver gravel materials as there is insufficient space for end dumps.
- The amount of gravel carried across the bridge in any single load shall not exceed 12 tons.
- An abrupt, several inch-high vertical drop in the road surface exists on the uphill approach to the bridge. Loaded trucks shall approach the uphill abutment very slowly and ease the front and rear wheels gently down this drop to avoid causing impact loading on the bridge.
- Loaded trucks shall cross the bridge at low speed of 5 mph to avoid causing impact loading on the bridge.
- Loaded trucks shall insure that the truck travels down the centerline of the bridge. This will keep the wheels over or near main beams. The truck shall not begin its turn until it is completely off the bridge so as to keep the wheel loads well away from the midspan of the planks.

The portion of restoration to be done at the Float Tube Pool, as indicated on the attached map, will be accomplished by placement of either a "habitat builder", which is a gravel pump, or by another functionally equivalent method such as helicopter. It is most probable that a gravel pump will be used. Access to the District's South Main Canal is needed to position the "habitat builder". Approximately 20 acre-feet of water will be needed to place approximately 3,000 tons of gravel at the Float Tube Pool. Reclamation estimates running the "habitat builder" 8 hours a day for up to 15 days to accomplish placement of the 3,000 tons. Reclamation and its contractors expect to locate the "habitat builder" approximately 500' up the canal road, northeast of the District's bridge. Upon completion of work, the "habitat builder" will be completely removed and the site will be returned to pre-project conditions.

Reclamation performed an inspection of the District's bridge in 2011, after Reclamation completed similar work on the District's property. Additional bridge inspections will be performed subsequent to bridge use, when the canal is dry, during the winter months, to insure no damage has been done to the District's property by Reclamation's use of the bridge. Reclamation shall notify District prior to entering said canal for inspection purposes and must comply with District safety protocols.

Reclamation and its contractors shall comply and be solely responsible for compliance with any and all Regulatory compliance related to implementation of this project.

Reclamation and its contractors shall notify the District's Engineer by calling (209) 840-5525 a minimum of 48 hours prior to any planned activities.

The District will not be held liable for the cost of this work or possible injuries to Reclamation employees or contractors while they are on the District's property. Insofar as it may do so, under existing law, Reclamation and its contractors shall hold the District harmless from any damage or injury incurred by Reclamation or its contractors. Reclamation and its contractors will comply with all applicable governmental laws and regulations.

Every precaution will be taken to prevent damage to persons and property. Reclamation and its contractors will be responsible for any loss or damage sustained by the District or the District's property resulting from Reclamation activities as part of this project. If at any time the District finds that the District has sustained damage, please write to the Bureau of Reclamation at the address above or call Ms. Nina Stevens, Realty Specialist at (916) 978-5287, or e-mail Ms. Stevens at nstevens@usbr.gov.

The District grants permission for Reclamation and its contractors to enter the District's property for the purposes stated above by signing and returning this permit.

The District should direct any questions regarding this temporary entry permit to Ms. Nina Stevens at the number above. Any questions or concerns related to the project should be directed to Mr. John Hannon, Fisheries Biologist, at (916) 414-2413.

This PERMIT shall be a covenant binding upon both the DISTRICT and RECLAMATION.

IN WITNESS THEREOF, DISTRICT and RECLAMATION have caused their names to be affixed.

Bureau of Reclamation "Reclamation"

Richard J. Woodley
Regional Resources Manager

Date

Oakdale Irrigation District "District"

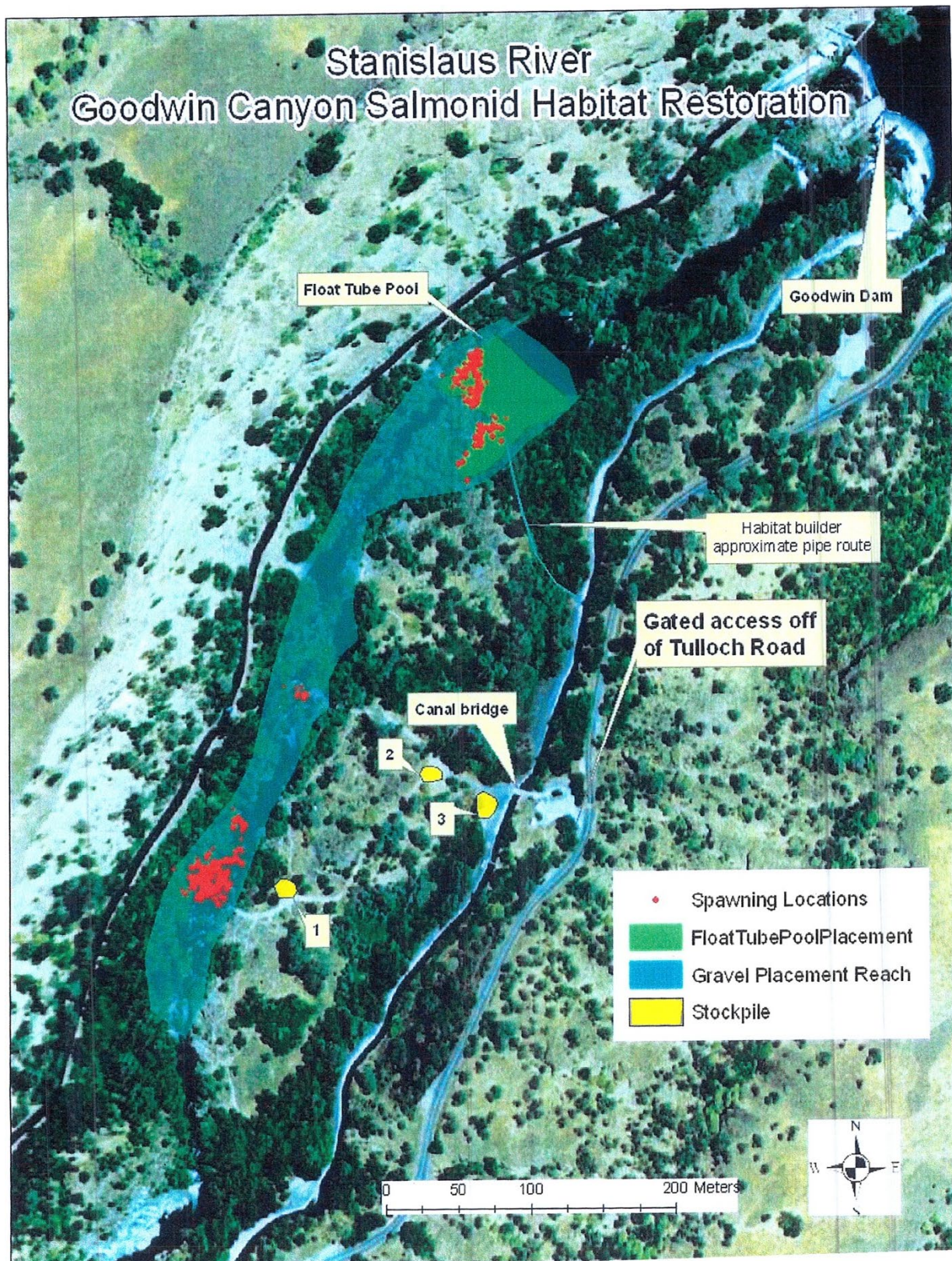
Thomas D. Orvis, President
Board of Directors

Date

Scot A. Moody
General Manager/Secretary

Date

PROJECT SITE MAP





AGENDA ITEMS ACTION CALENDAR

BOARD MEETING OF SEPTEMBER 12, 2023

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 12
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO AWARD BID TO NJIRICH & SONS INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE NORTH MAIN CANAL TUNNELS 3 & 4 REHABILITATION PROJECT AND AUTHORIZE GENERAL MANAGER TO EXECUTE ASSOCIATED CHANGE ORDERS

RECOMMENDED ACTION: Award the Bid to the Lowest Responsive and Responsible Bidder for the North Main Canal Tunnels 3 & 4 Rehabilitation Project and Authorize General Manager to Execute Associated Change Orders

BACKGROUND AND/OR HISTORY:

Staff solicited bids for the North Main Canal Tunnels 3 & 4 Rehabilitation Project which will consist of placing new shotcrete and canal liners, placing shotcrete and canal overlays, placing new and mending existing concrete liner. The recommended improvements include widening, re-shaping and lining Tunnels 3& 4; lining portal cut slopes and swales above cut slopes; and plugging the tops of shafts. The Engineer's Estimate of Probable Construction Costs for the Project was \$7,797,148.

Three Project bids were received before the July 31, 2023 bid deadline. Those bids have been reviewed and a determination has been made by OID and Provost and Prichard Consulting Group (P&P) staff that Njirich & Sons Inc. submitted the lowest responsive and responsible bid. OID and P&P staff recommend that the Board award the bid to Njirich & Sons in the amount of \$6,687,595.

This project was budgeted in the 2023 Capital Budget; and staff recommends proceeding with this project over the 2023/24 winter outage in an effort to keep up with the ongoing maintenance needs in critical OID infrastructure as outlined in the Water Resources Plan.

FISCAL IMPACT: \$7,950,000 inclusive of construction management and a 12% contingency to allow for any change orders needed

ATTACHMENTS:

- Project Bid Opening Total Base Bid Price Table
 - Njirich & Sons Project Bid Section 00530
-

Board Motion:

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

VOTE:

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

**Oakdale Irrigation District
Tunnels 3 & 4
Bid Opening Total Base Bid Price
July 31, 2023**

Bidder	Base Bid Price (Low to High)
Njirich & Sons, Inc.	\$ 6,687,595.00
Drill Tech Drilling & Shoring, Inc.	\$ 6,999,675.00
Sierra Mountain Construction, Inc.	\$ 7,316,640.00

NOTICE OF AWARD

To: Njirich & Sons, Inc.
19970 Kelly Drive
Sonora, CA 95370

Project Description: Oakdale Irrigation District
North Main Canal Improvements Tunnels 3 & 4 Rehabilitation Project

The OWNER has considered the BID submitted by you for the above-described WORK in response to its Advertisement for Bids dated June 21, 2023, and Instructions for Bidders.

You are hereby notified that your BID, dated July 31, 2023, has been accepted in the amount of \$6,687,595.00, as attached.

You are required as indicated in the Instructions for Bidders to execute the Contract (Section 00520), furnish the required Performance Bond (Section 00602) and Payment Bond (Section 00603), and provide the Insurance Certificates as detailed in Indemnity Agreement (Section 00502) within ten (10) days after receipt of this Notice.

If you fail to execute the Contract and to furnish said BONDS and proof of insurance within ten (10) days from the date you receive this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such rights as may be granted by law.

You are required to return an acknowledged copy of the NOTICE OF AWARD to the OWNER.

Dated this 12 day of September, 2023.

Owner

By: Scot Moody

Title: General Manager

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged.

By: _____

this the _____ day of _____, 20_____.

Signature: _____

Title: _____

SECTION 00530

BID

Bid Opening: 2:30 p.m.
on Monday, July 31, 2023
Via Email to: jkosakiewicz@oakdaleirrigation.com

In response to your call for bids, the undersigned (also referred to as “Bidder”) having examined the site of the Work, the Contract Documents, Contract Drawings, and documents attached thereto, or other documents that are otherwise implied, hereby proposes to furnish the labor, all equipment, all materials, all devices and other costs including federal, state, county and local sales or other taxes, to do the work for which prices are quoted below, and to complete all work ready for use within the number of working days specified and in accordance with said Contract Documents.

In the following Bid, amounts shall be shown in figures for the bid items. The total base Bid Price shall be shown in both words and figures. In case of discrepancy between the words and figures, the words will govern.

Unit Quantities

The Owner reserves the right to adjust unit quantities to greater or less than twenty-five percent (25%) of the estimated quantities without change to the Contractor’s Bid Unit Price.

Mobilization/Demobilization Costs

Mobilization and demobilization shall be paid as a percentage complete of the Contract lump sum (LS) price for Bid Items 1A and 1B. The combined mobilization and demobilization bid amount shall not exceed fifteen percent (15%) of the total bid amount. The demobilization bid amount shall be equal to or greater than twenty-five percent (25%) of the mobilization bid amount.

OAKDALE IRRIGATION DISTRICT
North Main Canal Improvements
Tunnels 3 and 4 Rehabilitation
Schedule of Baseline Bid Prices

Bid Item	Bid Item Description	* Estimated Quantity	Unit	Unit Price	Unit Price Extension
1. Mobilization and Demobilization					
1A	Site Mobilization	1	LS	\$ 700,000.00	\$ 700,000.00
1B	Site Demobilization	1	LS	\$ 175,000.00	\$ 175,000.00
1. Subtotal Mobilization and Demobilization					\$ 875,000.00
1C	Optional Staging Area Rental Allowance (Note 1)	5	Mos	(\$1,500)	\$ 7,500.00

2. Stormwater Management/Access Improvements and Maintenance					
2A	SWPPP, EPS, temporary facilities, equipment, materials, operation, etc., including water pass through (landowner water supply), stormwater control and dewatering during construction	1	LS	\$ 360,000.00	\$ 360,000.00
2B	Access Improvements and Maintenance	1	LS	\$ 150,000.00	\$ 150,000.00
2C	Tunnel Dewatering	1	LS	\$ 50,000.00	\$ 50,000.00
2D	Fill Borrow and Grading Staging Areas	1	LS	\$ 175,000.00	\$ 175,000.00
2 Subtotal Stormwater Management/Access Improvements and Maintenance					\$ 735,000.00

3. Tunnel 3					
3A	Upstream and Downstream portal cleaning/excavation <u>including backfill and grading of washout/drainage</u>	1	LS	\$ 100,000.00	\$ 100,000.00
3B	Portal shotcrete walls (including turned down edge, WWF, rebar and drain strips)	2,980	SF	\$ 30.00	\$ 89,400.00
3C	Rock Dowels – 18-foot cement grouted	12	EA	\$ 1,245.00	\$ 14,940.00
3D	Rock Dowels – 14-foot cement grouted	51	EA	\$ 970.00	\$ 49,470.00
3E	Rock Dowels – 9-foot cement grouted	12	EA	\$ 625.00	\$ 7,500.00
3F	Rock Dowels – 8-foot cement grouted	13	EA	\$ 550.00	\$ 7,150.00
3G	Test Nails	5	EA	\$ 825.00	\$ 4,125.00
3H	Tunnel Excavation/Re-shaping	1	LS	\$ 850,000.00	\$ 850,000.00
3I	Tunnel invert grading, preparation and backfill	1	LS	\$ 120,000.00	\$ 120,000.00
3J	Tunnel liner 4-inch thick shotcrete tunnel liner (FRS)	1,444	LF	\$ 915.00	\$ 1,321,260.00
3K	Tunnel invert 6-inch thick concrete invert slab	1	LS	\$ 400,000.00	\$ 400,000.00
3L	Concrete cutoff (per Detail 8/6.0)	2	EA	\$ 3,500.00	\$ 7,000.00
3M	Rip Rap (upstream and downstream)	44	TON	\$ 195.00	\$ 8,580.00
3N	Shaft plugs and backfill	3	EA	\$ 35,000.00	\$ 105,000.00
3	Subtotal – Tunnel 3				\$ 3,084,425.00

OAKDALE IRRIGATION DISTRICT
NORTH MAIN CANAL IMPROVEMENTS – TUNNELS 3 AND 4 REHABILITATION
STANISLAUS COUNTY, CALIFORNIA

4. Tunnel 4					
4A	Upstream and Downstream portal cleaning/excavation	1	LS	\$ 15,000.00	\$ 15,000.00
4B	Portal shotcrete walls (including turned down edge, WWF, rebar and drain strips)	1,420	SF	\$ 30.00	\$ 42,600.00
4C	Rock Dowels – 14-foot cement grouted	42	EA	\$ 970.00	\$ 40,740.00
4D	Rock Dowels – 9-foot cement grouted	2	EA	\$ 625.00	\$ 1,250.00
4E	Rock Dowels – 8-foot cement grouted	1	EA	\$ 550.00	\$ 550.00
4F	Test Nails	3	EA	\$ 825.00	\$ 2,475.00
4G	Tunnel Excavation/Re-shaping	1	LS	\$390,000.00	\$ 390,000.00
4H	Tunnel invert grading, preparation and backfill	1	LS	\$ 70,000.00	\$ 70,000.00
4I	Tunnel liner 4-inch thick shotcrete tunnel liner (FRS)	805	LF	\$ 915.00	\$ 736,575.00
4J	Tunnel invert 6-inch thick concrete invert slab	1	LS	\$180,000.00	\$ 180,000.00
4K	Concrete cutoff (per Detail 8/6.0)	2	EA	\$ 3,500.00	\$ 7,000.00
4L	Rip Rap (upstream and downstream)	44	TON	\$ 195.00	\$ 8,580.00
4	Subtotal – Tunnel 4				\$ 1,494,770.00

5. Miscellaneous					
5A	Disposal of Earth Spoils	7,000	LCY	\$ 50.00	\$ 350,000.00
5B	Backfill Shotcrete (if needed), See Note 2	100	CY	\$ 800.00 \$550.00	\$ 80,000.00 \$55,000.00
5C	Temporary/Additional Support (toolbox items, if needed)				
5C1	Wire Mesh and Friction Anchors	1,000	SF	\$ 30.00	\$ 30,000.00
5C2	Rock Dowels – Cement Grouted	20	EA	\$ 570.00	\$ 11,400.00
5C3	Rock Bolts – Epoxy Resin	20	EA	\$ 850.00	\$ 17,000.00
<u>5D</u>	<u>Lean Concrete Mudmat</u>	<u>20</u>	<u>CY</u>	<u>\$ 500.00</u>	<u>\$ 10,000.00</u>
5 Subtotal Miscellaneous					\$ 498,400.00

Notes:

- Contractor shall provide duration and extend unit price of Item 1C if the Contractor chooses to use the Staging Area for the Owner and Engineer's information purpose; do not include this item in the Total Base Bid Price as the price is not a Bid Item or reimbursable expense and shall be included as mobilization as specified in Section 02050 – Mobilization and Demobilization.
- ~~Set Unit Price provided for allowance, a~~Actual quantity determined based on Technical Specifications Section 03470, Article 4.01.
- LS – Lump sum
- EA – Each
- LCY – Loose cubic yard
- CY – Cubic yard
- LF – Lineal foot
- SF – Square foot
- TON – Ton
- DAY – Calendar work day

OAKDALE IRRIGATION DISTRICT
NORTH MAIN CANAL IMPROVEMENTS – TUNNELS 3 AND 4 REHABILITATION
STANISLAUS COUNTY, CALIFORNIA

Subtotal – Items 1 through 5		
1	Mobilization and Demobilization	\$ 875,000.00
2	Stormwater Management/Access Improvements and Maintenance	\$ 735,000.00
3	Tunnel 3	\$ 3,084,425.00
4	Tunnel 4	\$ 1,494,770.00
5	Miscellaneous	\$ 498,400.00
<p style="text-align: center;">Total Base Bid Price (in words)</p> <p><u>six million, six hundred eighty-seven thousand, five hundred and</u></p> <p><u>ninety-five dollars.</u></p> <p style="text-align: center;">Dollars</p>		<p>\$ 6,687,595.00</p>

Attached hereto and made a part hereof is United States Currency, Cashier's Check, Certified Check or Surety Bond No. 37 in the amount of \$ 668,759.50 which is not less than ten percent (10%) of the total amount of the total Bid, as a guaranty that the Bidder will enter into a Contract in the form bound with these Contract Documents within five (5) days after the Notice-of-Award of the Contract by the Owner.

The undersigned hereby agrees that, in case his Bid is accepted, he will within five (5) days after notice thereof, execute a Contract with the Owner in the form hereto attached and, if required by law, shall furnish a bond in the sum of the Contract price to secure the payment of all labor and material bills, and also a bond in the sum of the Contract price to secure the faithful performance of the Contract according to the terms and provisions therein; and in case of failure to execute the Contract and furnish the bonds within said period or such extension thereof as may be allowed by resolution duly passed and adopted, it is expressly agreed that the District may award the Contract to the second lowest Bidder and the amount of Bidder's security shall be forfeited to the District.

It is understood by the undersigned that the quantities of material of work specified in the "Notice Inviting Sealed Bids" are estimated and are given only for the purpose of comparing Bids and that the prices quoted are not conditioned upon the accuracy or approximate accuracy of the estimate.

It is understood that the Owner may award a Contract as the interests of the Owner may dictate.

Attached hereto and made a part of this Bid is a list of Subcontractors as required by the provisions of Sections 4100 to 4113 of the Government Code of the State of California.

CONTRACTOR: Njirich & Sons, Inc.

BY: Shelly Njirich - Shelly Njirich

TITLE: President

ADDRESS: 19970 Kelly Drive, Sonora, CA 95370

CONTRACTOR'S LICENSE NUMBER: # 573731

DIR REGISTRATION NUMBER: 1000005271

TELEPHONE NUMBER: 209.533.2268

- END OF SECTION 00530 -

BOARD AGENDA REPORT

Date:	September 12, 2023
Item Number:	13
Staff:	Joe Kosakiewicz C&M Manager

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO APPROVE WORK RELEASE NO. 45 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-001 WITH PROVOST & PRITCHARD, INC. TO PROVIDE CONSTRUCTION MANAGEMENT AND QUALITY ASSURANCE SERVICES FOR THE OAKDALE IRRIGATION DISTRICT NORTH MAIN CANAL TUNNELS 3 & 4 REHABILITATION PROJECT

RECOMMENDED ACTION: Approve Work Release No. 45 to Professional Services Agreement 2009-PSA-001 with Provost & Pritchard, Inc. to Provide Construction Management and Quality Assurance Services for the Oakdale Irrigation District North Main Canal Tunnels 3 & 4 Improvement Project and authorize the General Manager to execute the work release upon approval

BACKGROUND AND/OR HISTORY:

Provost & Pritchard, Inc. (P&P) provided a proposal for Construction Management and Quality Assurance services for the construction of the North Main Canal Tunnels 3 & 4 Rehabilitation Project. Construction Management and Quality Assurance services will be necessary to assure that the Contractor is meeting the contract requirements and that the construction is compliant with the drawings and specifications.

The request for approval of this work release is contingent upon the approval of agenda item 12 for the award of the Construction Contract for the North Main Canal Tunnels 3 & 4 Project.

Details on the staff providing the services are included in Exhibit A to the work release. Construction Management and Quality Assurance Services in Work Release No. 45 consist of three tasks:

Task 1 - Pre-Construction: Mobilization and Submittal Review

Task 2 - Construction: Management, Engineering Oversight and Quality Assurance

Task 3 - Post-Construction: Demobilization and Project Closeout

The estimated fee for Work Release No. 45 is \$435,550, which includes a 5% contingency of \$21,777. Based on the institutional knowledge P&P staff have pertaining to the Tunnels 3 & 4 Project, Staff recommends the Board authorize the General Manager to execute the Work Release No. 45 for P&P to perform the Construction Management and Quality Assurance services for the Tunnels 3 & 4 Project.

FISCAL IMPACT: Not to Exceed \$435,550

ATTACHMENTS:

- Work Release No. 45

Board Motion:

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

VOTE:

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:



Work Release No. 45

Construction Management & Quality Assurance Services

North Main Canal Tunnels 3 & 4 Rehabilitation Project

Background

Provost & Pritchard (P&P) has previously performed several phases of work on the North Main Canal Tunnels 3 & 4 Rehabilitation Project (Project) including initial assessment, initial design, preliminary plans, engineers estimate, construction documents and contractor bidding support.

Description

Provide Construction Management & Quality Assurance Services during construction activities associated with the North Main Canal Tunnels 3 & 4 Rehabilitation Project.

Scope of Work

The Scope of Work is divided into three primary tasks of work based on various stages of the Contractor's work. These tasks are defined as follows:

- Task 1 – Pre-Construction: Mobilization and Submittal Review
- Task 2 – Construction: Management, Engineering Oversight and Quality Assurance
- Task 3 – Post-Construction: Demobilization and Project Close Out

See the attached Exhibit A for P&P's detailed Scope of Work and Proposal.

Schedule

The Contract Notice of Award is anticipated to be issued on Tuesday, September 12, 2023, with the Notice to Proceed scheduled to be issued thereafter. The Contractor is scheduled to start the project work on November 1, 2023 and will be substantially completed by February 17, 2024.

Pricing

P&P will perform the services on a Time and Material basis in accordance with the Schedule of Fees approved by 2009-PSA-001, Amendment No. 4, dated March 31, 2023. The estimated costs for the three tasks outlined above and detailed in the attached Exhibit A are summarized below by Task:

- Task 1 – Pre-Construction: Mobilization and Submittal Reviews \$ 48,900

- Task 2 – Construction: Management, Engineering Oversight
and Quality Assurance \$ 356,800
- Task 3 – Post-Construction: Demobilization
and Project Close Out \$ 29,850

Not to Exceed Amount **\$ 435,550**

This Not to Exceed amount cannot be exceed without prior authorization from OID.

Terms and Conditions

Payment for Services will be according to the 2023 Schedule of Fees.

All Terms and Conditions identified in **Professional Services Agreement 2009-PSA-003, Amendment No. 4** will remain in effect for Work Release No. 045.

When submitting the invoice, include the Contract and Work Release Number on the invoice. All invoices are to be sent to the attention of Oakdale Irrigation District's Accounts Payable department.

Oakdale Irrigation District

Provost & Pritchard Consulting Group

By: _____

By: _____

Name: Scot A. Moody

Name: Alex Collins

Title: General Manager

Title: Director of Operations

Date: _____

Date: _____

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 14
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION REGARDING OID POTENTIALLY JOINING THE VALLEY AG WATER COALITION

RECOMMENDED ACTION: Approval to join Valley AG Water Coalition

BACKGROUND AND/OR HISTORY:

There has been some mention during the past few months of OID not having a united AG centric voice in the Sacramento Legislature other than ACWA. Valley AG Water Coalition gave a brief presentation to the Board of Directors in June 2023.

FISCAL IMPACT: Currently seven cents per acre and not to exceed \$7,000/year

ATTACHMENTS: Communications written by Valley AG Water Coalition

Board Motion:

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

VOTE

Orvis (Yes/No) Tobias (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)

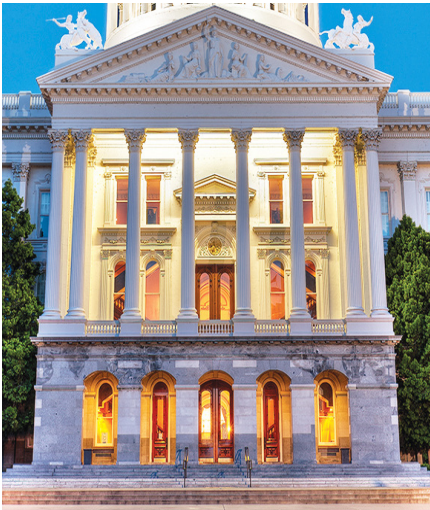
Action(s) to be taken:

SACRAMENTO REPORT

April 2023



Volume 18, Issue 4



NEWS BRIEFS

California Water Plan Update 2023 Workshops

The California Water Plan describes and updates a broad set of resource management strategies (RMSs) that help local agencies and governments manage their water and related resources.

Every RMS can be a technique, program, or policy that can be used to meet water-related management needs of a region and the state as a whole.

The Department of Water Resources will be conducting the following upcoming RMS Strategy Workshops:

continued on next page

Legislation Threatens Well Established Water Rights System

Several bills have been introduced this year seeking to upend over 100 years of well established water rights system.

One of these bills is [Assembly Bill 460](#), by Assemblymember Rebecca Bauer Kahan (D-San Ramon). The bill, introduced in response to a direct diversion in the summer of 2022 made in violation of a curtailment order issued by the State Water Board, is written very broadly to provide the Board with greater authority to enjoin the diversion of water. AB 460 would grant the State Water Board with authority to issue an interim relief order to enforce the reasonable use doctrine, public trust doctrine, water rights, and other provisions of water law; as well as, establishes a civil penalty of up to \$10,000 for each day in which a violation to an interim relief order issued by the Board occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. Unless the State Board concludes that consideration of the matter is urgent, the board is required to provide notice at least 20 days before the hearing date of the issuance of an interim relief

See [Water Rights](#), page 2

DWR Determinations Possible State Water Board Intervention

The California Department of Water Resources (DWR) recently announced that groundwater sustainability plans for six critically overdrafted groundwater basins in the San Joaquin Valley were determined to be inadequate, triggering the process for possible state intervention.

Adopted in 2014, the Sustainable Groundwater Management Act (SGMA) requires groundwater sustainability agencies to develop and implement groundwater sustainability plans that would address conditions that negatively impact groundwater—such as overdraft, degraded water quality, land subsidence, and drinking water impacts—within 20 years. Groundwater sustainability agencies (GSAs) in critically over-drafted basins first submitted their plans to DWR in January 2020. Last year, DWR determined that plans from 12 of these subbasins were incomplete, which necessitated GSAs to correct identified deficiencies and revise and resubmit plans to DWR for re-evaluation.

See [DWR](#), page 4

Valley Ag Water Coalition

Contact Information:

Cristel Tufenkjian, Secretary-Treasurer
4886 East Jensen Avenue
Fresno, California 93725
(559) 237-5567 Phone
(559) 237-5560 FAX

Inside Sacramento Report

Administration Distributes Funding for CA Water Infrastructure 6

Watershed Management Resource Management Strategy Workshop

When: Thursday 27, 2023; from 1:00pm to 3:00 p.m.

During this workshop, the Water Plan Team will provide an overview of the draft Watershed Management RMS for Update 2023 and gather comments on the draft Watershed Management RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

Reservoir Reoperation Resource Management Strategy Workshop

When: May 3, 2023; from 10:00 a.m. to 12:00 p.m.

During this workshop, the Water Plan Team will gather comments on the draft Reservoir Reoperation RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

Water Use Efficiency Resource Management Strategy

When: May 9, 2023; from 10:00 a.m. to 12:00 p.m.

During this workshop, the Water Plan Team will gather comments on the draft Water Use Efficiency RMS. Registration for this online only workshop is available [HERE](#). An agenda will be available soon.

CA Water Plan - Water Balances Data Webinar

When: May 3 | 10:00 a.m. - 12:00 p.m.

Join the Department of Water Resources (DWR's) California Water Plan Team for a webinar that will share and discuss water balance data - data founda-

continued on next page

order. Interim relief orders issued without this notice can remain in effect for a period of up to 180 days. However, the State Water Board is allowed to reissue or extend this order for an indefinite period.

Valley Ag Water Coalition joined other water interest in strongly opposing the bill, unless it is limited to the concern regarding direct diversions in violation of a curtailment order, due process is guaranteed for the water right permit or license holder, and the period of relief is tailored to address the violation. The significant expansion in the Board's existing enforcement authority currently proposed by the bill threatens water supply reliability and weakens due process protections normally afforded to interested parties that may be harmed by enforcement actions. An order could include halting or limiting diversions of water, a requirement to pay for environmental and engineering analyses, the reimbursement of Board expenses, or anything else the Board determines, regardless of the merits of the interim relief order. A loss of water supply before planting season will halt farm production for the year; a loss of water supply during the growing season will devastate farmers, farm workers, and the rural communities and local economies that rely on farming year-in and year-out.

The bill was heard in the Assembly Water, Parks and Wildlife Committee, which Assemblymember Bauer-Kahan chairs, on April 19. After a couple of hours of discussion on this measure, committee members made it abundantly clear that they had a lot of concerns with the bill and encouraged the water community to offer an alternative to the language currently in the bill that (1) enhances penalties for those who disregard State Water Board's orders, and (2) addresses what additional enforcement authority, if any, could reasonably be granted to the state water board to ensure compliance with its orders. The bill passed the Assembly water committee on a 9-4 vote, and is now scheduled to be heard in the Assembly Judiciary Committee on April 25.

[Assembly Bill 1337](#), by Assemblymember Buffy Wicks (D-Oakland), was also discussed in the Water, Parks and Wildlife Committee's April 18 hearing. As introduced, this legislation would authorize the board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from CEQA.

Based on recommendations by the Assembly Water Committee, AB 1337 was amended on April 17, to delete the CEQA exemption and establishment of civil penalties, and instead (1) clarify the bill's intent that the pre-1914 appropriative water rights be subject to the full authority of the State Water Board; (2) authorize the board to issue a curtailment order for any diversion, regardless of

basis of right, when water is not available under the diverter's priority of right; (3) authorize the board to adopt regulations to implement the curtailment order; and (3) authorize the board to issue a cease and desist order when a water right holder fails to curtail diversions when water is unavailable under the water right holder's priority of right.

The bill passed the Assembly Water, Parks and Wildlife Committee on a 9 to 4 vote, and is now headed to the Assembly Judiciary Committee for a hearing and a vote.

Other water rights legislations opposed by the Coalition include:

AB 560 (Bennett, D-Oxnard): The bill would require a court to refer the proposed judgment in certain adjudication actions to the State Water Board for a nonbinding advisory determination as to whether the proposed judgment will substantially impair the ability of a groundwater sustainability agency, the State Water Board, or the Department of Water Resources to achieve sustainable groundwater management. The bill would require the State Water Board to consult with DWR before making its determination.

The bill passed the Assembly Water, Parks and Wildlife Committee on March 28, 2023, with a 9-0 vote; and the Assembly Judiciary on April 11, with a 7-2 vote. The bill is scheduled to be heard in the Assembly Appropriations Committee on May 3, 2023.

AB 676 (Bennett, D-Oxnard): This bill seeks to amend Water Code Section 106, regarding priority for use of water, by listing non-exhaustive examples of "domestic" water uses. This change would substantially narrow the highest use, which is more broadly defined under domestic use to include water in homes, resorts, motels, organization camps, camp grounds, and incidental watering of domestic stock, lawns, ornamental shrubbery, and gardens. (23 CCR § 660) The bill focuses on the "waste and unreasonable use" portion of Article X, section 2, leaving out the beneficial use portion: "the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented."

The bill is scheduled to be heard in the Assembly Water, Parks and Wildlife Committee on May 2, 2023.

AB 779 (Wilson, D-Suisun City): This bill seeks to adopt new procedural requirements for groundwater adjudications. The bill presents several concerns relating to the adjudication of groundwater. More specifically, this bill would require the plaintiff and defendant involved in an adjudication to forward all relevant pleading and briefing materials to the Department of Water Resources (DWR) after a decision has been rendered by the court; and for DWR to post the documents on its internet website. The bill would require the court to invite a representative from DWR or the State Water Board to provide technical assistance or expert testimony on the amount of water in the basin subject to adjudication, equitable and sustainable pumping allocations for the basin, and sustainable groundwater management best practices and recommendations; and require the court to take into account the needs of small farmers and disadvantaged communities when entering a judgment. The bill would also require a groundwater sustainability agency (GSA) with jurisdiction over a basin subject to an adjudica-

tional to building the state's water resilience. Creating and enhancing water resilience requires an understanding of how and where water is used in the state, as well as the source of the supplies. The webinar will cover:

- Background on the water balances
- Important observations from recent water years

Registration is available [HERE](#).

Water Efficiency Technical Assistance (WETA)

On April 11, 2023, the California Department of Food and Agriculture (CDFA) announced a competitive grant application process for the Water Efficiency Technical Assistance (WETA) program. Assembly Bill 180 (Budget Act of 2021) appropriated \$15 million from the California Emergency Relief Fund to CDFA for the WETA program which funds irrigation water efficiency and nutrient management technical assistance grants. The WETA grant program is designed to facilitate technical assistance to agricultural operations for on-farm water and energy use efficiency and nutrient management

Through this solicitation CDFA will award up to \$14.25 million to eligible organizations. The grant term will be 3 years, with a maximum grant amount of \$500,000. Applications are due by June 6, 2023. Grant awards will be announced in August 2023.

Organizations that receive funding will work on any or all of three program objectives:

1. Provide on-farm, one-on-one technical assistance to farmers to evaluate irrigation system efficiency (e.g., mobile irrigation lab) and provide diagnos-

continued on next page

NEWS BRIEFS *continued*

tics, reports and recommendations to growers.

2. Coordinate or provide pump efficiency testing for farmers.
3. Provide training regarding water use efficiency and nutrient management practices and technology.
4. Additional information can be found [HERE](#).

CDFAs Request for Applications document is available [HERE](#).

CA's Snowpack is Now One of the Largest Ever, Bringing Drought Relief, Flooding Concerns

On April 3, 2023, the Department of Water Resources (DWR) conducted the fourth snow survey of the season at Phillips Station. The manual survey recorded 126.5 inches of snow depth and a snow water equivalent of 54 inches, which is 221 percent of average for this location. The snow water equivalent measures the amount of water contained in the snowpack and is a key component of DWR's water supply forecast. DWR's electronic readings from 130 snow sensors placed throughout the state indicate the statewide snowpack's snow water equivalent is 61.1 inches, or 237 percent of average for this date.

On April 3, DWR conducted a media briefing which expanded on the results from the snow survey, and what they mean for the state's water supply. Provided below you will find links to resources including a recording of DWR's briefing, along with b-roll and photos from the snow survey.

continued on next page

Water Rights, continued from page 3

tion proceeding to submit a comprehensive monitoring plan to the court, and to report monitoring data to the court and DWR. The bill would prescribe pumping restrictions on groundwater users during an adjudication proceeding; require a GSA to hold a public meeting to explain the adjudication process to water users within its basin and the public upon receiving notice that an adjudication has commenced in its basin; and authorize a GSA to invite the state board or DWR to send a representative to the meeting in order to help explain the adjudication process.

The bill passed the Assembly Water, Parks and Wildlife Committee on March 28, 2023, with a 11-3 vote; and the Assembly Judiciary on April 11, with a 8-3 vote. The bill is scheduled to be heard in the Assembly Appropriations Committee on May 3, 2023.

SB 389 (Allen, D-): This bill would authorize the State Water Board to selectively investigate and determine whether a water right claimant, diverter, or user is diverting or using water under a defensible claim of right. Specifically, the bill would (1) allow the State Board to investigate individual water right claimants to verify their basis of right, (2) to require information from the claimants relevant to the investigation, (3) to rule upon the water right claim after notice and opportunity for hearing, (4) to impose the burden upon the water right claimant to prove the elements of the claimant's right, and (5) to clarify that any determination of forfeiture of an appropriative right held in these proceedings would not require a showing of a competing claim or a clash of rights from other water rights holders as has been required by recent court decisions.

The State Water Project relies on post-1914 water rights permits for which much of the historical information that the State Board may request under this bill may not exist or may have been lost over the years. The bill would also make the State Water Board staff the determinators of whether this burden of proof has been met.

SB 389 is set for its first hearing in the Senate Natural Resources and Water Committee on April 25.

DWR, continued from page 1

In March of this year, DWR approved plans for the Cuyama, Paso Robles, Eastern San Joaquin, Merced, Westside, and Kings subbasins with recommended corrective actions for the basins to remain in an approved status. The remaining groundwater sustainability plans from the Chowchilla, Delta-Mendota, Kaweah, Tule, Tulare Lake, and Kern subbasins were determined to be inadequate. According to DWR, the basins deemed inadequate did not appropriately address deficiencies in how GSAs structured their sustainable management criteria.

"The GSAs did not analyze and justify continued groundwater level declines and land subsidence," DWR noted in their press release. "Further, the GSPs lacked a clear understanding of how the management criteria may cause undesired effects on groundwater users in the basins or critical infrastructure."

With the inadequate determination, primary jurisdiction over the basins shifts from DWR to the State Water Board, which will begin evaluating plans and decide whether or not the state needs to intervene.

See DWR, page 5

During the State Water Board's April 4, 2023 meeting, Natalie Stork, a supervising engineer with the State Water Board, provided an overview of the state intervention process.

After a triggering event, like an inadequate determination, the Board may designate a basin probationary after providing notice and holding a public hearing; during this hearing, interested parties will have the opportunity to address the Board. If the Board designates a groundwater basin as probationary, the Board will identify deficiencies in the basin's plan and provide actions necessary to remedy them. The Board also has the discretion to add or remove deficiencies as needed. Stork noted that even while addressing such deficiencies, it is critical that GSAs continue implementing adequate parts of their plans.

"Our goal is to get basins back on track, and for local management to be successful," Stork said. "For that to work, [local agencies] need to keep implementing the good parts of their plans while working on the other parts."

The GSAs will be given a minimum of one year to address plan deficiencies and possibly end state intervention before the Board can implement an interim plan. An interim plan for a probationary basin will be adopted through a hearing process should the Board determine that a local agency has not fixed the deficiencies that resulted in the probationary designation. This interim plan will include corrective actions, a schedule for those actions, monitoring, and enforcement. To end State Water Board intervention, GSAs will have to demonstrate to the Board, which will consult with DWR, their ability and willingness to manage groundwater sustainably and address the issues that caused state intervention.

Throughout the April 4, 2023 meeting, both Stork and State Water Board members reiterated that state intervention is designed to be temporary, and the goal is to return to local management with a clear path on how to achieve sustainability.

"We're proceeding as if these basins will be going into local control because that is what we want," said State Water Board Chair E. Joaquin Esquivel.

At this point, however, it is unclear as to how long the State Water Board's intervention process will take. Under SGMA, the Board has the discretion to undertake this intervention process. Should the Board move forward with the process, the probationary hearings alone could take between three months to three years to complete, depending on the timeline the Board decides to adopt.

Meanwhile, basins with plans recommended for approval will continue to work with DWR and report on their progress in implementing their plans and completing corrective actions.

"Since the onset of SGMA, local agencies have stepped up with dedication and progress in meeting critical milestones," said DWR Director Karla Nemeth. "Protecting domestic wells, minimizing land subsidence, and protecting groundwater resources are all State priorities. Implementation of these plans, which will require difficult adjustments as we go, will ultimately provide a safe and reliable groundwater supply for communities for generations to come."

Additional information on the State Water Board's State Intervention Process can be found on the State Water Board's [SGMA State Intervention](#) webpage or the [SGMA Probationary Designation](#) fact sheet. A recording of the State Water Board's April 4, 2023 meeting is available [HERE](#).

- [Press Release](#)
- [Video](#) of today's Phillips survey
- [Recording](#) of Today's Media Briefing
- [Digital photos](#) of today's Phillips survey
- [B-roll](#) of today's Phillips survey
- [Snowpack readings](#) (View readings for [current regional snowpack](#) and [historical snowpack comparison](#))
- [Precipitation data](#) (View current California Data Exchange Center charts for the [Northern Sierra 8-station index](#) for updated rainfall readings in the critical northern portion of the state, as well as the San Joaquin 5-station index and [Tulare Basin 6-station index](#))

State Water Project to Further Increase Water Supply Allocation

On April 20, 2023, the Department of Water Resources (DWR) announced another increase in the forecasted State Water Project (SWP) deliveries this year. With reservoirs nearing capacity and snowmelt runoff starting to occur, DWR now expects to deliver 100 percent of requested water supplies, up from 75 percent announced in March.

The news release can be found [HERE](#).

DWR Hold Media Briefing on Tulare Basin Flood Preparations

Media Briefing Will Be Held Monday at 2 p.m.

In anticipation of potential flood impacts in the Tulare Lake Basin and San Joaquin Region due to a historic snowpack, the California

NEWS BRIEFS *continued*

Department of Water Resources (DWR) will hold a media briefing on Monday, April 24 via Zoom at 2 PM with experts from DWR's State-Federal Flood Operations Center to discuss the short-term climate outlook and ongoing coordination efforts with state and local emergency response agencies. If you wish to attend the Zoom briefing, please register [here](#). Spanish interpretation will be provided. A recording of the briefing will be made available later on Monday.

UPCOMING MEETINGS

Delta Stewardship Council

April 27, 2023; 10:00am
California Natural Resources Building
715 P Street, Room 221
Sacramento, CA 95814
[Agenda](#), [Webcast](#), [Zoom](#)
Phone: 1-669-444-9171
webinar ID: 883 3206 8588

Central Valley Regional Quality Control Board

April 27-28, 2023; 9:00am
Kern County Board of Supervisors Chambers
1115 Truxtun Avenue
Bakersfield, CA 933301
[Agenda](#), [Webcast](#) (4/27),
[Webcast](#) (4/28),
[Participation Guide](#)

California Central Valley Flood Protection Board

April 28, 2023; 10:00am
Joe Serna Jr.—CalEPA Building
1001 I Street, Sierra Hearing Room
Sacramento, CA 95814
[Agenda](#) (Not Yet Posted)

Administration Distributes Funding for CA Water Infrastructure

On April 5, 2023, the U.S. Bureau of Reclamation announced the distribution of \$585 million for water infrastructure projects nationwide. This amount includes more than \$300 million for 24 projects in California to improve water conveyance and storage, as well as improving hydro power capabilities.

The funded projects in California include:

- \$25 million for planning, design, and subsequent implementation of Delta Mendota Canal Jones Pumping Plant Excitation Cabinet and Control Panel Refurbishment.
- \$927.612 million to complete required feasibility study, as well as for subsequent permitting and design costs of the Delta Mendota Canal Subsidence Correction Project
- \$3 million for Folsom Dam Fiber Upgrade and Installation
- \$7.5 million for Folsom Pumping Plant Pumps and Pump Motors Replacement
- \$745.7 million for required feasibility study, and subsequent permitting and design costs of the Friant Kern Canal Capacity Correction
- \$24.7 million for refurbishment of Shasta Dam (refurbishing tube valves and upgrading a temperature control device)

A full list of funded projects can be found [Here](#).

This funding announcement was followed by the Department of the Interior's \$20 million funding announcement for four small surface and groundwater storage projects in California and Utah. The projects funded in California include:

- **\$4.7 Million for Groundwater Banking Joint Powers Authority's Phase 1 of the Kern Fan Groundwater Storage Project.** Phase one of the Kern Fan Project includes the acquisition of 350 acres in Kern County for the construction and operation of recharge basins, recovery wells, and conveyance infrastructure. The storage capacity is approximately 28,000 acre-feet with a projected average annual yield of 2,482 acre-feet.
- **\$1 Million for Del Puerto Water District's Orestimba Creek Recharge and Recovery Project.** The project is a small groundwater storage project in which water will be stored in a local aquifer in wet years and then used in dry years to provide agricultural water supply. Recharge water will include available unstorable Central Valley Project supplies and flood water flows from Orestimba Creek. The projected average annual yield is 1,485 acre-feet.
- **\$9.5 Million for Imperial Irrigation District's Upstream Reservoir Storage Project.** The primary purpose of the Upstream Operational Reservoir Storage Project is to maximize Imperial Irrigation District's water management efficiency within the Imperial Valley. The project has a storage capacity of 2,100 acre-feet with a projected water in-valley conservation yield of 15,000 acre-feet per year for in-valley use.

These projects, funded through the Bipartisan Infrastructure Law, are essential tools to help conserve water and increase the efficiency of water use in the Colorado River Basin.

See CA Water Infrastructure, page 7

These announcements come as Biden-Harris administration officials are traveling across the Colorado River Basin as part of the Investing in America tour to highlight investments from the Bipartisan Infrastructure Law and Inflation Reduction Act. Combined, these laws represent the largest investments in climate resilience in the nation's history and provide unprecedented resources to support the Administration's comprehensive, government-wide approach to make Western communities more resilient to drought and climate change.

The Bipartisan Infrastructure Law provides \$8.3 billion for Reclamation water infrastructure projects over five years to advance drought resilience and expand access to clean water for families, farmers and wildlife. The investment will repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. The Inflation Reduction Act is investing another \$4.6 billion to address Western drought.

"The Bipartisan Infrastructure Law is making a historic investment to provide clean, reliable water to families, farmers and Tribes, and increase resilience to drought," said Bureau of Reclamation Commissioner Camille Calimlim Touton. "The funding announced today will boost water storage opportunities and create a more reliable water supply for future generations, by increasing resiliency and providing more flexibility for water managers."

When asked about the possibility of securing additional funding for Sites Reservoir, Bureau of Reclamation Commissioner Camille Calimlim Touton said they plan to look into additional resources this year for reservoirs which she said might include Sites.

The Sites Reservoir aims to store up to 1.5 million acre-feet of Sacramento River water, potentially enhancing water supplies for over 24 million people and 500,000 acres of Central Valley farmland. The project's cost is estimated at \$4.4 billion, with Prop. 1 covering up to \$875 million and the remaining funds coming from federal loans to water suppliers. The reservoir could have captured 120,000 acre-feet of water during January's storms, enough to serve about 1.3 million Californians for a year.

*Sacramento Report is published monthly by Reeb Government Relations, LLC
1415 L Street, Suite 870, Sacramento, CA 95814, e-mail: bobr@water-warrior.com*

UPCOMING MEETINGS *continued*

State Water Resources Control Board

May 2-3, 2023; 9:30am

Joe Serna Jr.—CalEPA Building
1001 I St., Coastal Hearing Room
Sacramento, CA 95814

[Notice](#), [Webcast](#), [Participation Guide](#)

California Central Valley Flood Protection Board

May 12, 2023; 10:00am

Sacramento Area Council
of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

[Agenda](#) (Not Yet Posted)

State Water Resources Control Board

May 16-18, 2023; 9:30am

Joe Serna Jr.—CalEPA Building
1001 I St., Coastal Hearing Room
Sacramento, CA 95814

[Agenda](#) (Not Yet Posted),
[Webcast](#), [Participation Guide](#)

California Water Commission

May 17, 2023; 9:30am

California Resources Building
715 P St., 1st Floor Auditorium
Sacramento, CA 95814

[Agenda](#) (Not Yet Posted),
[Participation Guide](#),

Call-in: (408) 638-0968 or
(669) 900-6833

Meeting ID: 874 8202 3626

Passcode: 874029

Valley Ag Water Coalition

The mission of the Valley Ag Water Coalition is to represent the collective interests of its San Joaquin Valley member agricultural water companies and agencies in California legislative and regulatory matters by providing leadership and advocacy on issues relating to the development and delivery of a reliable farm water supply.

Reeb Government Relations, LLC

March 3, 2021

The Honorable Bill Quirk
Chair, Assembly Environmental & Toxic Materials Committee
State Capitol, Room 2163
Sacramento, California 95814

RE: Assembly Bill No. 377—Oppose

Dear Assembly Member Quirk:

I am writing on behalf of Valley Ag Water Coalition (VAWC) to express opposition to AB 377 (Robert Rivas), relating to water quality. Our coalition consists of 43 local agency, mutual water companies and ditch companies that deliver farm water supply throughout the San Joaquin Valley—the top agricultural region in the nation.

AB 377 would require all waters of the state to be fishable, swimmable, and drinkable by 2050. VAWC believes the requirement proposed by your legislation is contrary to federal and state law regarding the designation of water bodies for beneficial uses.

AB 377 provides that a basin water quality control plan can only include a schedule for implementation of a water quality standard that is adopted after January 1, 2021, if certain conditions are met. This provision would, in effect, end the recent CV-Salts program that is the product of a collaborative stakeholder driven and managed program to develop sustainable salinity and nitrate management planning for the Central Valley. The Central Valley Salinity Alternatives for Long-Term Sustainability initiative (CV-SALTS) began in 2006 as a coalition of representatives from agriculture, municipalities, industry, water supply, environmental justice, state and federal regulatory agencies and the public to develop an environmentally and economically sustainable plan for the management of salt and nitrate in the Central Valley.

The Salt and Nutrient Management Plan is addressing legacy and ongoing loadings of salt and nitrate in the Central Valley and presents a comprehensive regulatory and programmatic approach for the sustainable management of salt and nitrate in groundwater and surface water. The Plan's Antidegradation Analysis notes: "U.S. EPA regulations also require state water quality standard submittals to include an antidegradation policy to protect beneficial uses and prevent further degradation of high-quality waters (33 U.S.C. § 1313(d)(4)(B); 40 C.F.R. § 131.12). In general, the Federal Antidegradation Policy emphasizes the maintenance of existing ambient conditions. The Federal Antidegradation Policy considers lowering of water quality to be allowable in some cases, including those where the costs of control would cause widespread and substantial economic and social impacts." The State's Antidegradation Policy is embodied in SWRCB Resolution No. 68-16

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The Honorable Bill Quirk

March 3, 2021

Page 2

(Statement of Policy with Respect to Maintaining High Quality Waters in California). In general, the policy emphasizes the protection of high-quality waters, which include groundwater.

According to the Central Valley Salinity Coalition: "Many activities are underway to achieve compliance with the new Nitrate Control Program in the Central Valley's six Priority 1 subbasins, where safe drinking water must be provided in areas with high nitrate levels and nitrate management plans must be adopted beginning in 2021. These subbasins include Modesto, Turlock, Chowchilla, Kings, Kaweah, and Tule. Early steps on the path toward compliance have included outreach to permittees and disadvantaged community leaders, data collection, cost assessments, provision of drinking water, and progress toward the complex task of Management Zone formation."

Similarly, AB 377 would negatively affect the Irrigated Lands Regulatory Program, which was initiated in 2003 to prevent agricultural runoff from impairing surface waters. Groundwater regulations were added to the program in 2012. Waste discharge requirements designed to protect both surface water and groundwater address irrigated agricultural discharges throughout the Central Valley.

VAWC believes the above-described programs that its members have worked with the State Water Resources Control Board and the Central Valley Regional Water Quality Control Board to implement will result in improved water quality in both the surface waters and in the groundwater basins in the San Joaquin Valley. AB 377 ignores the proper balance between providing a secure, affordable food supply and protecting the beneficial uses of the waters of the state. AB 377 would establish a requirement that is neither feasible nor necessary.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Reeb". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Reeb".

Robert J. Reeb
Executive Director

RJR:

cc: The Honorable Robert Rivas
The Honorable Robert Hertzberg
Members, Assembly Environmental & Toxic Materials Committee
Consultant, Assembly Environmental & Toxic Materials Committee
Assembly Republican Caucus

Farm Water Update

AT THE CROSSROADS OF WATER & GROWING FOOD



MAY 2023

Water Rights Protect All Californians - Farms, Communities, Businesses, and the Environment

Water Rights Protect the Interests of All Californians

A reliable supply of water is the foundation of California's economy, essential to our quality of life, and integral to the future of jobs, manufacturing, farms, and housing.

The right to use water is determined by state laws and regulations. California operates under a dual system that recognizes both riparian rights (property owners adjacent to rivers and streams) and appropriative rights (first in time, first in use). Allocations are determined according to those rights, which means some users get access to water sooner because they have older rights (also known as pre-1914 water rights) or were awarded more senior rights under area of origin laws.

Water rights holders rely on the predictability of water for planning, infrastructure investment, and serving farms, cities, and the environment.

Public agencies hold about 80% of the surface water rights in California and are responsible for delivering that water to Californians as well as generating clean renewable electricity and protecting water quality, fisheries, and other beneficial uses of water.

In wet years, like 2023, most water users can use the water they need and there is plenty of water remaining in the natural environment to protect water quality and fisheries. It is in dry years that all water users rely on our water rights system to help them plan and make investment decisions.

Importance of California Agriculture to Our State and Nation

According to the Water Education Foundation, California has been the nation's leading agricultural and dairy state for the past 50 years and the state's farms generated a record \$51.1 billion in sales value in 2021, accounting for 12.5 percent of the US total. Breaking down the state's agricultural role in the country, California produces about 19 percent of the nation's milk supply, 23 percent of its cheese and 99 percent of all grapes. The state also produces half of all domestically grown fruits, nuts, and vegetables.



Processing tomato harvest near Helm, in the San Joaquin Valley. California grows 90 percent of the U.S.-produced processing tomatoes, supplying manufacturers of pizza and spaghetti sauce, salsa, soups, and many other processed foods.

A 2020 report by two UC Berkeley professors describes the results of an economic analysis of water supply restrictions affecting growers in the San Joaquin Valley. It indicates that over the next 30 years, water supply cuts will lead to the permanent loss of 1 million acres of productive farmland. Fewer healthy foods will be available from California farms. The report estimates that California will permanently lose:

- 86,000 acres of vegetables
- 130,000 acres of fruit-producing trees
- 129,000 acres of wine and table grapes
- 327,000 acres of nuts

These reductions translate into the permanent loss of 85,000 jobs, half of which are off the farm, such as food processing, transportation, wholesale, retail, and ports. They also mean the permanent loss of over \$535 million in tax revenue which, again, is used to provide the services local communities value, like police, firefighters, and teachers.

Population Growth and Current Allocation of Water Supply

From 1900 to 1950, California's population rose from under 2 million to 10 million and reached 34 million by 2000. Although the rate of population growth has slowed recently, California experienced increasing demand for water during a time when very little additional supply of water was added, in large part because development of major water resources infrastructure ceased almost entirely in the 1960s.

Today, roughly 40% of all California water flows through the Sacramento-San Joaquin River Delta, where it remains or flows to the ocean. About 17% is allocated to Central Valley farmers and residents of the Bay Area and Southern California. California's total developed water supply is divided, with about 50% going to environmental projects and programs, 40% to agriculture, and 10% to cities statewide. (PPIC)

Can the Existing Water Rights System Balance Competing Uses?

In California, a water right holder does not own the water. Under Section 102 of the California Water Code, those who hold water rights have the right to beneficially use water, but the state is said to "own" the water.

When there is not enough water to satisfy all water rights holders, riparian rights are senior, and in times of shortage are satisfied before any water can be taken by the oldest appropriative right.

The State Water Board has existing authority to ensure water users are complying with the various water rights laws.

First, the State Water Board has broad administrative enforcement mechanisms under Water Code Sections 1052 and 1831 to address unauthorized diversion. The State Water Board can refer an action for injunctive relief to the Attorney General for unauthorized diversions. The Board has authority under Water Code Sections 1052 and 1825 to investigate the legality of water use, to determine whether a diversion is authorized, and to issue cease and desist orders and fines when warranted.

Second, Water Code Section 1058.5 grants the State Water Board authority to adopt emergency regulations in drought years to implement the water rights priority system and to prevent unauthorized diversion of water.

Third, all water rights holders who divert water, under any basis of right, are required to measure the water they divert and report that information to the State Water Board, and the State Water Board may issue fines for diverters who fail to timely file such reports.

Fourth, Water Code Section 1051 authorizes the State Water Board to investigate stream systems, and other code sections authorize the State Water Board to determine all rights to water of a stream system.



The Tuolumne River provides habitat for spawning salmon and reliable water supplies for senior water rights holders in agricultural and urban areas across Central California.

Environmental, environmental justice, and fishery organizations believe the water rights system should be reformed to adapt to the effects of climate change—that more water should remain in rivers and streams for environmental purposes, including to benefit threatened and endangered fisheries. They support granting the State Water Board broad new powers to reduce diversions in all water years rather than only in times of drought.

Water rights holders believe broad new authority for the State Water Board would dramatically reduce the value of a water right, including its volumetric reliability, and would make it impossible for water rights holders to serve Californians.

Infrastructure Investment Supplies Water for all Beneficial Uses

To function, our water system relies on an intricate system of canals, pipes, levees, water treatment plants, and more. That critical infrastructure is built and maintained by water agencies and their customers. If we take away water supply reliability through unexpected curtailments, regardless of the water year type, we also make it more challenging to repair existing infrastructure and build more to meet growing demand. This uncertainty erodes the ability to predict future water sales, which is the revenue stream needed to pay for the projects. And because our water delivery system is more than 50 years old, and the demands of climate change require additional infrastructure, investment is critical right now.

Lack of infrastructure impacts the environment as well. The partnerships between water agencies and local farmers that have been responsible for science-based fish habitat restoration, building fish ladders and weirs, providing spawning habitat for salmon and other improvements that protect and enhance the ecosystem provides just one example. Without a reliable water supply, these investments are less likely.

California Has a Critical Shortage of Affordable Housing

Every eight years, the state sets a target for the number of homes needed for each income level to meet the housing needs of all Californians. California must plan for more than 2.5 million homes over the next eight-year cycle, and no less than one million of those homes must meet the needs of lower-income households. This represents more than double the housing planned for in the last eight-year cycle.

Building all types of housing requires being able to identify a water supply not just for today, but 20 years into the future. Section 66473.7 of the Government Code requires a proposed residential development of more than 500 dwelling units to have a demonstrated



California's critical housing shortage could be further complicated by increasingly uncertain access to water supplies

"sufficient water supply" before approval by a city or county. A sufficient water supply means the total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection must meet the projected demand. Stripping away the reliability of water supply threatens the state's ability to meet the essential housing need it has identified.

Protecting Water Supply Reliability is Essential for All Californians

Whether it is communities providing water to their residents, farmers who make planting decisions to stock our grocery stores, water for the environment, business, and industrial uses, and even meeting our clean energy goals – all water users need to know how much water they can rely on. And it is important to remember that no matter who holds the water rights, both the California Constitution and the California Water Code protect all uses deemed beneficial by the state, require those uses be balanced, and protect against water being wasted.

Our existing water supplies cannot satisfy all demands during drought. The Legislature can amend existing law to provide for swifter and more effective action by the State Water Board in such times. Incremental changes in the authority granted to the State Water Board can achieve meaningful changes in behavior without fundamentally altering the water rights system. The illegal use of water can be met with more significant financial penalties that will serve as a deterrent to bad behavior.

Valley Ag Water Coalition | [Bob Reeb bobr@water-warrior.com](mailto:BobReeb@water-warrior.com)

The mission of the Valley Ag Water Coalition is to represent the collective interests of its San Joaquin Valley member agricultural water companies and agencies in California legislative and regulatory matters by providing leadership and advocacy on issues relating to the development and delivery of a reliable farm water supply.

California Farm Water Coalition | [Mike Wade mwade@farmwater.org](mailto:MikeWade@farmwater.org)

CFWC is a non-profit, educational organization that provides fact-based information on farm water issues to the public.



REEB GOVERNMENT RELATIONS

June 2, 2023

The Honorable Dave Min
Chair, Senate Natural Resources & Water Committee
1021 O Street, Suite 6710
Sacramento, California 95814

RE: Assembly Bill No. 1205—Oppose

Dear Senator Min:

I am writing on behalf of Valley Ag Water Coalition (VAWC) to express opposition to AB 1205 (Bauer-Kahan), relating to water rights. VAWC members are ditch companies, mutual water companies, and local agencies that deliver farm water supplies in the San Joaquin Valley.

AB 1205 would add a finding and declaration to the Water Code that speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water or groundwater water right previously put to beneficial use on agricultural lands is a waste or an unreasonable use of water.

According to the Assembly Water, Parks & Wildlife Committee analysis of AB 1205:

“The author points to increasing news reports and anecdotes of large institutional investors and foreign corporations that are buying up agricultural land in California to acquire both surface water and groundwater rights in order to monetize and profit off of those rights as the reason for authoring this bill.”

The Committee analysis also notes by way of background:

“News reports over the past decade have highlighted different examples of hedge funds and other large institutional investors buying up agricultural land in California to market associated water resources, farm permanent crops with groundwater resources at an unsustainable rate, or grow livestock silage for export. Recent reporting in Bloomberg (“Groundwater Gold Rush,” April 11, 2023), for example, focuses on how many of these large institutional investors have bought up farmland and used diminishing groundwater supplies to irrigate nut and other permanent crops at a significant profit while drawing down groundwater levels so that nearby domestic wells can no longer produce water for households.

First, there is little, if any, empirical evidence to support the contention that investment funds are acquiring agricultural land for purposes of engaging in the sale, transfer, or lease of an interest in surface water or groundwater. Second, AB 1205 would not have any effect on the extraction of groundwater to irrigate crops as reported in the media account referenced in the Assembly policy analysis. Citing the latter misleads or distracts from the stated reason for the legislation.

AB 1205 is Contrary to the State's Interest in a Functioning Water Market

Water transfers are an important component of California water resources management. The temporary transfer of surface water on a local and regional scale is routine and is a particularly important way of meeting statewide water demands in dry and critically dry water years. There also has been an increasing number of long-term transfer agreements like that supporting the Quantification Settlement Agreement between Imperial Irrigation District and San Diego County Water Authority (and several other federal, local, and state water agencies), as well as entitlement transactions between agricultural and urban State Water Project contractors that represent a significant share of overall water transfers by volume. Water is transferred in California for municipal and industrial, irrigation, and instream use for water quality and fisheries protection, and to facilitate groundwater banking programs.

According to the State Water Resources Control Board (Board), the majority of water transfers are short-term water transfers that are in effect for less than one year. If the Board finds a proposed transfer will not injure any other legal user of water and will not unreasonably affect fish, wildlife, or other instream users, then the transfer is approved. The Board does not have authority to review the financial terms of a transfer.

Over the past several decades, the Legislature has enacted statutes that encourage and facilitate surface water transfers. These statutes authorize and regulate short-term and long-term transfers, transfers of conserved and surplus water, transfers of water made available through recycling and participation in conjunctive use programs, and access to third-party agency facilities to transport water (See Water Code Sections 1010-1018, 1020-1031, 1700-1745.11, and 1810-1815).

Temporary transfers and long-term transfers of water by any water rights holder are generally subject to review and approval by the Board. The Board can only approve a temporary change if it determines that a preponderance of the evidence shows both of the following: (a) The proposed temporary change would not injure any legal user of the water, during any potential hydrologic condition that the board determines is likely to occur during the proposed change, through significant changes in water quantity, water quality, timing of diversion or use, consumptive use of the water, or reduction in return flows; and (b) The proposed temporary change would not unreasonably affect fish, wildlife, or other instream beneficial uses (see Sections 1728 and 1736, Water Code).

The vast majority of water transfers in California are transfers of water between State Water Project (SWP) contractors, and transfers of water between federal Central Valley

Project (CVP) contractors. In contrast, inter-basin transfers of groundwater are rare, with about half of California's counties having enacted ordinances that restrict the transfer of groundwater beyond county boundaries. Those ordinances apply both to the direct transfer of groundwater and to a transfer in which the transferor sells or leases surface water and then increases its pumping of groundwater to replace the transferred surface water.

The Legislature has generally deferred to local policies on groundwater transfers. For example, Section 1220 of the Water Code prohibits groundwater exports from the combined Sacramento and Delta-Central Sierra basins without the approval of the boards of supervisors and the voters of the counties that overlie the groundwater basin. Section 1745.10 of the Water Code bans groundwater substitution transfers unless the transfer is either consistent with the local groundwater management plan or "approved by the water supplier from whose service area the water is to be transferred." Finally, the Sustainable Groundwater Management Act (SGMA) authorizes groundwater sustainability agencies to include in their groundwater sustainability plans rules authorizing water transfers within their respective boundaries. Section 10726.4 of the Water Code authorizes a groundwater sustainability agency to authorize temporary and permanent transfers of groundwater extraction allocations within the agency's boundaries, if the total quantity of groundwater extracted in any water year is consistent with the provisions of the groundwater sustainability plan. The transfer is subject to applicable city and county ordinances.

Finally, the transfer, sale, or lease of water avoids the need to develop additional water supply projects that mitigate water shortages in times of drought for urban and agricultural water suppliers. In this example, farmers, cities, and environmental water users all benefit from the flexibility a water market provides.

The Mechanism for Enforcement of the Prohibition is Unclear

AB 1205 may enact an unenforceable law—a law which is formally in effect (*de jure*), but is usually (*de facto*) not penalized. Such laws are usually ignored by enforcement entities, and therefore there are few if any practical consequences for breaking them. The Board lacks the capability to monitor real property transactions throughout the state or identify whether a real property owner is covered under the definition of "investment fund." Further, AB 1205 does not address the manner in which the Board—or a court—would determine whether the sale, transfer, or lease of an interest in water resulted in speculation or profiteering (the latter being undefined in the legislation). A pre-1914 water right holder, for example, can change the point of diversion, purpose of use, or place of use as long as another legal user of water is not injured and is not required to petition the Board to change the place of use pursuant to their right to transfer water. AB 1205, therefore, could have the unintended effect of providing authority to the Board where it does not have authority under current law.

AB 1205 could be susceptible to attack for being unconstitutionally vague. The 'void for vagueness' doctrine derives from the Due Process Clauses of the Fifth and Fourteenth

Amendments to the United States Constitution. That is, vague laws unconstitutionally deprive people of their rights without due process. In the instant case, AB 1205—which would enact a finding and declaration under the Water Code—does not specify the manner in which the prohibition against waste and unreasonable use would be regulated or adjudicated. Although the legislation attempts to define “investment fund” it likely extends coverage to pension funds, insurance funds, foundations, and endowments. Also, several publicly traded real estate investment trusts (REITs) hold farmland.

The Definition of “Agricultural Lands” is Unnecessarily Expansive

AB 1205 defines “agricultural lands” for purposes of the legislation. The definition comes from the Public Resources Code and more specifically from the Farmland Mapping and Monitoring Program (FMMP). The definition includes prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, and grazing land. It is a minor point, but the purpose of FMMP is not to consider the economic viability of agricultural lands but rather to prepare an inventory of agricultural lands. Why is this important? Well, while prime farmland has the soil quality, growing season, and moisture supply needed to produce sustained high yields, farmland of statewide importance has minor shortcomings, like greater slopes or less ability to store soil moisture. As you go down the list above, the designations cover lesser quality soils and greater soil moisture challenges.

Reliance on FMMP for the definition of “agricultural lands” is inherently antithetical to Section 2 of Article X of the California Constitution in that AB 1205 would prohibit, based on property ownership, putting the use of the water resources of the State to the fullest extent of which they are capable. As an example, the transfer, sale, or lease of water from fallowed farmland, farmland that is not prime farmland, or for the irrigation of a higher value crop, would be prohibited under AB 1205 if ownership is by an “investment fund.”

AB 1205 Turns the Board’s Designation of Beneficial Use on its Head

AB 1205, in effect, declares a beneficial use designated by the Board to be a waste and unreasonable use of water. AB 1205 would prohibit the transfer, sale, or lease of surface water or groundwater from one farm to another, from a farm to a city (municipal and industrial use), or from a farm to an environmental purpose if the transferor is an investment fund and if speculation or profiteering occurred. All of these end uses are categorized as beneficial uses by the Board. This would be a particular concern in critically dry years when urban areas are short of water supply and rely on farm to urban transfers to meet customer demand—even for essential health and safety purposes.

In addition, California has a clear and detailed statutory regime for changes in the purpose of use of water rights to environmental uses that provides a great degree of flexibility for water rights holders. Section 1707 of the Water Code allows appropriative and riparian water rights holders to petition the Board to change the beneficial use or

any other aspect of their right “for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation in, or on, the water.” Section 1707 provides that such transfers are to be processed under the statutory scheme for all water transfers. Water rights holders can simply change all or a portion of their right to environmental purposes with the option of petitioning to change the right back again in the future. They can also transfer their rights to a conservation group or state agency. Section 1707 and related statutes also allow for permanent, long-term, temporary, and emergency changes to water rights.

AB 1205 would not only apply to the actual sale, transfer, or lease of water, but to any interest in any surface water or groundwater right previously put to beneficial use on agricultural lands within the state. This not only calls into question agricultural to agricultural transactions as noted above, but also agricultural to environmental transactions, e.g., environmental water account purchases, and agricultural to urban transactions. AB 1205 also could apply to commodity futures market participants in the Chicago Mercantile Exchange. Futures markets exist primarily for hedging, which manages price risk for a commodity. Hedgers in the market are California water users, including municipalities, water districts, and businesses such as farmers and manufacturers. These futures contracts are traded through Nasdaq Veles California Water Index Futures. It is unclear whether AB 1205 has the potential to impair contracts related to futures trading or contracts covering existing long-term water transfers.

Is AB 1205 Concerned with Speculation or Profiteering?

AB 1205 defines “speculation” to mean “the sale, transfer, or lease of an interest in a water right by an investment fund to profit from an increase in the water’s value in a subsequent transaction or without a plan to put the water to beneficial use”. This provision of the bill would prohibit an investment fund from gaining a profit defined as an increase in the water’s value in a subsequent transaction. As stated above, AB 1205 does not provide direction as to the manner in which the value of water would be calculated at the time property is acquired, whether the property was acquired on a speculative basis, or whether profiteering has occurred. What, for example, would be the value of groundwater at the time of a property purchase?

AB 1205 declares that speculation and profiteering by an investment fund is a waste and unreasonable use. The legislation is silent on what would constitute “profiteering.” It is common not only in a water market but in other markets that a commodity produced or held may be sold for profit. The transfer, sale, or lease of water in a transaction that generates a profit is not inherently a bad outcome. In fact, long term transfers like the Imperial Irrigation District transfer to the San Diego County Water Authority generate revenues for the agricultural water supplier that can be used for investment in facilities, the reduction of debt, and the installation of efficient water management measures—making the use of water more efficient over time. The Agricultural Water Management Planning Act requires agricultural water suppliers to implement efficient management practices, if the measures are locally cost effective and technically feasible, including practices that facilitate (a) alternative land use for lands with exceptionally high-water

duties or whose irrigation contributes to significant problems, including drainage, and (b) the financing of capital improvements for on-farm irrigation systems. Implementation of such practices is often not locally cost-effective. Revenues generated from the transfer, sale, or lease of water can fund projects that are not otherwise locally cost-effective.

AB 1205 May Conflict with Other Provisions of Law

- Section 109 of the Water Code includes a legislative finding and declaration that “the growing water needs of the state require the use of water in an efficient manner and that the efficient use of water requires certainty in the definition of property rights to the use of water and transferability of such rights.” Section 109 declares that it is the policy of this state to facilitate the voluntary transfer of water and water rights when consistent with the public welfare of the place of export and the place of import. The Legislature has directed the Department of Water Resources, the Board, and all other appropriate state agencies to encourage voluntary transfers of water and water rights, including, but not limited to, providing technical assistance to persons to identify and implement water conservation measures which will make additional water available for transfer.
- Section 113 of the Water Code provides that it is the policy of the state that groundwater resources be managed sustainably for long-term reliability *and multiple economic, social, and environmental benefits* (emphasis added) for current and future beneficial uses. Section 113 states: “Sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science.”
- Section 380 of the Water Code finds and declares that regions of the state differ widely in the availability of water supplies and in the need for water to meet beneficial uses and that many water management decisions can best be made at a local or regional level, to the end that local and regional operational flexibility will maximize efficient statewide use of water supplies. Authority granted to local and regional public agencies is in furtherance of the policy declared in Section 2 of Article X of the California Constitution and in Section 109.
- Section 475 Water Code provides a legislative finding and declaration that voluntary water transfers between water users can result in a more efficient use of water, benefiting both the buyer and the seller. The Legislature further finds and declares that transfers of surplus water on an intermittent basis can help alleviate water shortages, save capital outlay development costs, and conserve water and energy. The Legislature further finds and declares that it is in the public interest to conserve all available water resources, and that this interest requires the coordinated assistance of state agencies for voluntary water transfers to allow more intensive use of developed water resources in a manner that fully protects the interests of other entities which have rights to, or rely on, the water covered by a proposed transfer.
- Section 10826.2 of the Water Code requires each agricultural water supplier, as part of an agricultural water management plan, to develop a drought plan for periods of limited water supply describing the actions of the agricultural water supplier for drought preparedness and management of water supplies and

allocations during drought conditions, including the ability of the agricultural water supplier to obtain or use additional water supplies during drought conditions.

Determination of Waste and Unreasonable Use

The Legislature established the Board to provide for the orderly and efficient administration of the water resources of the state, finding that it was necessary for the proper exercise of the adjudicatory and regulatory functions of the state in the field of water resources (See Section 174 of the Water Code). Section 275 of the Water Code directs the Department of Water Resources and the Board to take all appropriate proceedings or actions before executive, legislative, or judicial agencies to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water in this state.

According to the Board, the application of the Reasonable Use Doctrine tends to be a cumbersome, multistep process and has largely been reactive, where someone claims another person's use of water is unreasonable and uses a judicial or administrative forum to resolve the complaint. What constitutes reasonable water use is dependent upon not only the entire circumstances presented but varies as the current situation changes (*Environmental Defense Fund, Inc. v. East Bay Municipal Utility District* (1980) 26 Cal.3d 183). The Reasonable Use Doctrine applies broadly to issues concerning diversion, delivery, and use of water and while the Legislature can make rules concerning what uses of water are reasonable, those rules cannot themselves be unreasonable (*California Trout v. State Water Resources Control Board* (1989) 207 Cal. App. 3d 592). VAWC asserts that, through enactment of AB 1205, the Legislature would enact an unreasonable rule in that a designated beneficial use of water, whether municipal and industrial, agricultural, or environmental—would be rendered a waste and unreasonable use due to the nature of the entity exercising a water right.

For these reasons, VAWC respectfully requests a “NO” vote on AB 1205.

Sincerely,



Robert J. Reeb

RJR:

Cc: The Honorable Rebecca Bauer-Kahan
Members, Natural Resources & Water Committee
Consultant, Natural Resources & Water Committee
Republican Caucus Consultant
Office of the Governor

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 15
APN: 063-014-030

**SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO ADOPT A RESOLUTION
AUTHORIZING THE DISPOSAL OF PROPERTY NO LONGER NECESSARY FOR
DISTRICT PURPOSES AND AUTHORIZING STAFF TO PROCEED WITH SALE OF
APN 063-014-030 ID 41 WELL SITE #3**

RECOMMENDED ACTION: Approve adoption of resolution authorizing disposal of property no longer necessary for District purposes and authorizing Staff to proceed with sale of APN 063-014-030, well site #3 property located within Improvement District 41

BACKGROUND AND/OR HISTORY:

Under the provisions of Section 22500, et seq. of the Water Code, the Oakdale Irrigation District (District) may dispose of property of the District which it finds no longer necessary for its purposes. In so doing, the District must comply with the provisions of the Surplus Land Act.

The well on Tioga Avenue (APN 063-014-030) known internally as Well Site #3 of Improvement District (ID 41), was drilled in 1991 at the time when well site #1 was abandoned. ID 41 has connected with the City for water and District staff has determined that the property meets the criteria for disposal and landowners of contiguous land have expressed interest in purchasing the property.

Staff has determined that it is in the best interests of the District to sell the property, and is requesting authorization to proceed with negotiations with contiguous land owners to sell the properties for \$1.00 plus costs and subject to requirements of the Surplus Land Act. In this case, the Surplus Land Agreement requires that the District pass a resolution that includes findings that the property is exempt from the Surplus Land Act and provide a copy of the adopted resolution to the California Department of Housing and Community Development at least 30 days before disposition of the property.

FISCAL IMPACT: unknown

ATTACHMENTS:

- Resolution 2023-31
 - ID41 Well Site Map
-

Board Motion:

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

VOTE:

Orvis (Yes/No) Tobias (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)

Action(s) to be taken:

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2023-NIL**

**RESOLUTION AUTHORIZING THE DISPOSAL
OF PROPERTY NO LONGER
NECESSARY FOR DISTRICT PURPOSES**

WHEREAS, the Oakdale Irrigation District (“District”) may, under the provisions of Section 22500 of the Water Code, dispose of property of the District that it finds no longer necessary for District purposes;

WHEREAS, the Board of Directors of the District (the “Board”) finds that the well site property located on Tioga Avenue (APN 063-014-030) in Oakdale, California (the “Property”) is no longer necessary for District purposes, and that it is in the best interest of the District to dispose of such surplus property;

WHEREAS, California’s AB 1486, which was signed into law in 2019 and became effective January 1, 2020, imposes requirements on government entities that want to dispose of surplus property, generally requiring that such property be made available for low- and moderate-income housing, parks/recreation and open space, and/or clustering of housing and commercial development around transit stations; and

WHEREAS, the property is approximately 209 sq. ft and offered for sale to the owner of contiguous land; and

WHEREAS, the property is not contiguous to land owned by a state or local agency that uses it for open-space or low-income and moderate-income housing purposes; and

WHEREAS, pursuant to Gov. Code § 54221(f)(1)(B) and section 103(b)(1)(A) of the California Department of Housing and Community Development’s Surplus Land Guidelines published in April 2021 (“HCD Guidelines”), the property is therefore exempt from the requirements of AB 1486;

NOW, THEREFORE, BE IT RESOLVED by the Board that:

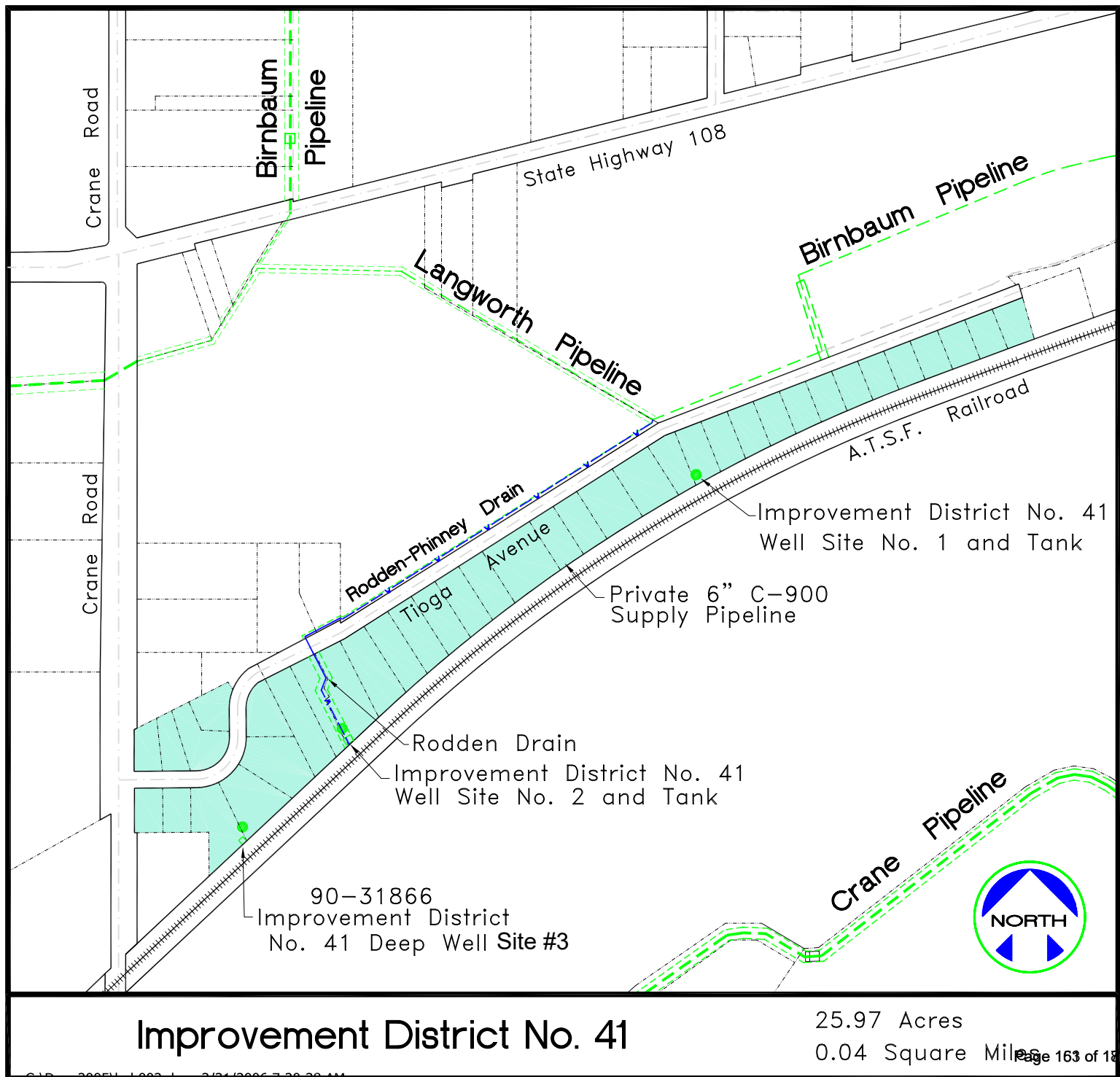
1. It is in the best interest of the District to dispose of the Property in the most economical manner.
2. The Board directs the District’s General Manager to execute a sales agreement to dispose of the Property in accordance with the District Surplus Property Policy and the Surplus Land Act.
3. The Board directs the General Manager to ensure compliance with section 400(e) of the HCD Guidelines by providing a copy of this resolution to the California Department of Housing and Community Development at least 30 days prior to disposition of the Property.

Upon Motion of Director _____, seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution is adopted this 12th day of September, 2023.

OAKDALE IRRIGATION DISTRICT

Thomas D. Orvis, President
Board of Directors

Scot A. Moody
General Manager/Secretary



BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 16
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO APPROVE REVISIONS TO THE OID RULES AND REGULATIONS

RECOMMENDED ACTION: Review and take possible action to approve revisions to the OID Rules and Regulations

BACKGROUND AND/OR HISTORY:

Clover and alfalfa valves (valves) on top of OID pipelines are private facilities according to OID's Rules and Regulations (R&Rs). Therefore, leaks from a private riser or valve on an OID pipeline, for example, are required to be repaired by the property owner or by OID at the landowner's expense. These valves on OID's pipelines are also unmeasurable delivery points and thus non-compliant with state mandated agricultural water measurement requirements (California Code of Regulations Title 23 Division 2 Chapter 5.1 Article 2 Section 597).

OID has continued to progress each year with taking corrective action at unmeasurable turnouts in accordance with the Agricultural Water Measurement Corrective Action Plan originally drafted and adopted as part of the OID 2012 Agricultural Water Management Plan. Unmeasurable turnouts that required the least amount of modification and those that served the most acreage were the first to be addressed. However, a majority of those unmeasurable turnouts now remaining are more difficult and costly to correct including, but not limited to, private valves on top of OID's pipelines. In that situation the landowner is typically provided the following options:

1. Remove and replace the existing OID pipeline in its current alignment (or plug/remove all valves) and install one new point of delivery (tee) with an inline valve and flow meter. The landowner, at their expense, would then need to install their own private irrigation system outside OID's ROW.
2. Leave the existing pipeline and valves in-place and quitclaim/abandon it to the landowner, acquire a new OID easement and replace the existing pipeline in an alternate alignment of equal or less length. As part of the project, OID ties into the existing pipeline for the landowner's continued irrigation with one new point of delivery (tee) with an inline valve and flow meter.

Option number 1 can be a financial burden for the landowner, but often times there just isn't a reasonable alternative alignment so option number 2 isn't viable. OID staff has already started to receive more pushback from some landowners who believe OID should be responsible for modifying the valves to be measureable delivery points or replacing their valves/irrigation system since they've historically used the OID pipeline and valves for irrigation.

In an effort to provide more clarity throughout the R&Rs that these valves on OID's pipelines are private facilities constructed and maintained by the owner in accordance with applicable laws and must approved by OID at OID's discretion, legal counsel has proposed the minor revisions shown in the attached pages of the redlined R&Rs. Staff recommends the Board approve the revised OID R&Rs as drafted, and will be available to answer any questions the Board may have.

FISCAL IMPACT: None

ATTACHMENTS:

- Redlined pages of the OID Rules and Regulations

Board Motion:

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

VOTE

Orvis (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No) Tobias (Yes/No)

Action(s) to be taken:

Rules & Regulations
Governing the Operation and Distribution of Water
Within the Oakdale Irrigation District Service Area



Adopted by the OID Board of Directors (Board) on ~~February~~ September 12, 2023¹. These rules and regulations may be changed at any time by order of the Board with or without notice.

- 1.15 **“Private Facilities”** includes drains, dams, bridges, structures, wells, conduits, pumps, reservoirs, valves, including but not limited to clover, alfalfa or similar valves, gates, weirs, and any other facilities not owned by the District belonging to, restricted to, or intended for an individual or group of individuals benefit.
- 1.16 **“Shall”** is mandatory and “may” is permissive.
- 1.17 **“Tenant”** means a person or entity that leases, rents, or sharecrops land from a Landowner.
- 1.18 **“Vehicle”** means any motor vehicle, self-propelled vehicle, motorcycle, motorized bicycle, or all-terrain vehicle.
- 1.19 **“Water Allotment”** means the maximum quantity of water which is set annually whenever necessary by the Board for each acre of land within the District which can receive District water from District Facilities directly or through Improvement District or Private Facilities.
- 1.20 **“Water Operations Manager”** means the District employee serving under the general direction of the General Manager in regard to the management and supervision of the Water Operations Department. Used interchangeably with “Watermaster”.
- 1.21 **“Water User”** means the person responsible for the distribution and control of water applied to the irrigated parcel.

to public or Private Facilities or where significant problems could result from the presence of the water.

- 3.2.7.2 The District shall be notified prior to Private drainage pump operation and discharge into District Facilities. Non-emergency operation notification shall be at least 24 hours prior to pumping event. Emergency operation notification shall be given as early as possible before the pump is put into operation.

3.2.8 District Deep Wells

- 3.2.8.1 Deep wells may be used as a permanent or supplemental source of water. Operation of deep wells to deliver water shall not constitute or set precedence for future deliveries.

3.2.9 District Booster Pumps

- 3.2.9.1 The DSO shall determine the most efficient and appropriate use of the District's booster pumps in order to deliver scheduled water to maximize the benefit of booster pump operation.
- 3.2.9.2 District booster pumps shall only be used when it is impractical or not possible to deliver gravity water.

3.2.10 District Turnouts

- 3.2.10.1 The operation of turnouts from District Facilities shall be at the discretion of the responsible DSO.
- 3.2.10.2 All turnouts from District Facilities shall have a positive shut-off mechanism easily accessible to the DSO within the District rights-of-way.
- 3.2.10.3 The Water Operations Manager has the authority to lock or secure any and all turnouts from District Facilities at any time.
- 3.2.10.4 DSOs have the authority to allow for the operation of turnouts by Landowners, Water Users, and Tenants. Upon granting permission, the DSO will strive to ensure that the turnout was operated appropriately and as directed, as soon as time permits. Permission to operate turnouts from District Facilities shall not establish any precedence for future events.
- 3.2.10.5 Any turnouts constructed in a District Facility at the Landowners' expense shall thereafter, at the option of the District, become the property of the District. Private turnout ownership on District Facilities shall be specified in writing.

3.2.11 Private Facilities

- 3.2.11.1 All Private Facilities shall be constructed and maintained by the owner in accordance with acceptable industry standards, applicable laws and approved by the District at the District's discretion.

- 3.4.2 The District shall be granted access to any lands within its sphere of influence when responding to an emergency upon notification from law enforcement or other person.
- 3.4.3 If the District holds a right-of-way or easement across Private land for the operation and maintenance of a District Facility, the law provides that the District shall have certain secondary rights, such as the right to enter upon the property on which the right-of-way or easement is located; to make repairs; and do such things reasonably necessary for the efficient and economical operation and maintenance of the system.

3.5 Encroachments

- 3.5.1 No trees, vines, shrubs, corrals, fences, buildings, bridges, or any other type of encroachment shall be planted or placed in, on, over, or across any District Facility; or the right-of-way therefor except pursuant to specific written authority from the District.
- 3.5.2 Any encroachment, authorized or otherwise; in, on, over, under, along, or across any District Facility or right-of-way that interferes with the operation or maintenance of said facility may be removed by the District, at the sole expense of the encroacher. Authorization for an encroachment will end if and when said encroachment is determined by the District to be in interference with District operations.

3.6 Construction of Private Irrigation Facilities

- 3.6.1 No Private stop gates, stand pipes, turn out pipes, valves, pumps or other Privately owned facilities shall be connected to or placed through or on District Facilities unless and until all the following have occurred:
- a. A written application setting forth the type and specification of the installation to be made is filed with the District.
 - b. The application and specifications are approved in writing by the District prior to start of construction.
 - c. If any of the work is to be performed by District personnel or under District contract, the full estimated cost inclusive of any contingencies is to be paid to the District by the applicant in advance; however, the applicant shall be responsible for the actual costs of construction irrespective of the amount of the estimate. Upon completion, the applicant shall pay the difference between the estimated amount and the actual costs if the estimate is exceeded. If the actual cost is less than the estimate, the applicant will receive a refund from the District in the amount of the overpayment.
 - d. In order that all involved be protected, in instances and to the extent the Board deems appropriate, a written contract is entered into specifying the conditions of performing the work and conditions applicable to the use of the District's Facilities.

- e. If the work can affect the flow of water in District Facilities, the work shall only be performed during times approved in advance by the District. Ordinarily, in the absence of an emergency, such work will not be permitted during the water season which can start as early as March 1st and end as late as October 31st.

3.6.2 No Private irrigation system improvements, including without limitation [Private Facilities](#), diverting gates, weirs, pump intakes, mechanical screens or structures of similar nature, shall be installed, constructed or placed in, on, over, under, along, or across any District Facility or right-of-way unless prior written permission, in the form of an encroachment permit, has been granted therefor by the District. No permitted person or agency, public or private, shall acquire any rights in the District's Facilities or rights-of-way other than those set forth in a written agreement with the District. Permittees shall, at their sole expense, upon receipt of notice from the District, promptly relocate or remove any improvement. In the event that the permittee fails to do so, the District reserves the right to perform such relocation or removal at the permittee's sole expense.

3.6.3 No Private improvements, including without limitation [Private Facilities](#), buildings, bridges, culverts, gates, corrals, landscaping, recreational pools, cross-canal conduits, or structures of similar nature, shall be planted, installed, constructed, or placed in, on, over, under, along, or across any District Facility or right-of-way unless prior written permission has been granted therefor by the District. No permitted person or agency, public or private, shall acquire any rights in the District's Facilities or rights-of-way other than those set forth in a written agreement with the District. Permittees shall, at their sole expense, promptly upon receipt of notice from the District, relocate or remove any improvement. In the event that the permittee fails to do so, the District reserves the right to perform such relocation or removal at the permittee's sole expense.

3.6.4 Except where otherwise specified by a written agreement with the District, all permitted Private improvements, irrigation or otherwise, shall be installed, constructed or placed in, on, over, under, along, or across any District Facility or right-of-way at the sole expense of the permittee and constructed in accordance with the most current District Standards.

3.7 Design of Irrigation Facilities

3.7.1 All new Private or Improvement District Facilities are to be approved, in writing, by the District Engineer prior to the start of construction. Plans and construction details shall be submitted to the District along with payment of any charges and a written request.

3.7.2 The District Engineer shall have the authority to approve any new Private or Improvement District Facilities. The design of said facilities shall be required to meet the flow requirements of the land being served without

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 17
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO CONTINUE TO PROVIDE IRRIGATION WATER AFTER THE END OF THE WATER YEAR ON SEPTEMBER 30, 2023 TO IN-DISTRICT LANDS ONLY

RECOMMENDED ACTION: Review and take possible action to continue to provide irrigation water after the end of the water year on September 30, 2023 to in-district lands only.

BACKGROUND AND/OR HISTORY:

Any water used in October will count against OID's annual water use for WY 2023/24. The source of OID's water availability in October comes from the 1988 Agreement with Reclamation (Agreement). Under that agreement OID and SSJID receive the first 600,000 AF of runoff from the basin. If less than 600,000 AF OID and SSJID receive inflow plus 1/3 of the difference between 600 TAF and actual inflow (Formula Water). Based on the Formula Water benefit under the Agreement, on October 1 OID and SSJID have 200,000 AF available.

Per the NOAA Climate Prediction Center El Nino Southern Oscillation (ENSO) Update (attached), El Nino is expected to continue with greater than a 95% chance through December 2023 - February 2024. However, according to NOAA's seasonal outlook (attached) we an equal chance of above/below normal precipitation through November 2023.

OID's investments in modernization and infrastructure have created significant drought resiliency in OID. OID has now provided water up until the last week of October consecutively for the last 7 years with average October diversions being approximately 17,000 AF. Many OID constituents have expressed their appreciation and support of continuing to do so. With harvest trending a few weeks late this season and farmers otherwise needing to pump groundwater to meet ET if OID does not make surface water available, Staff is recommending water deliveries continue into the last week of October (+/- October 30th) pending weather/demand.

Obviously, the other options available to the Board are to offer no rotations/water in October or only a single rotation (+/-15 days) in October.

ATTACHMENTS:

- NOAA Seasonal Drought & Precipitation Outlook
- NOAA ENSO Update (August 28, 2023)

FISCAL IMPACT: Unknown at this time

Board Motion:

Motion by: _____ Second by: _____

VOTE:

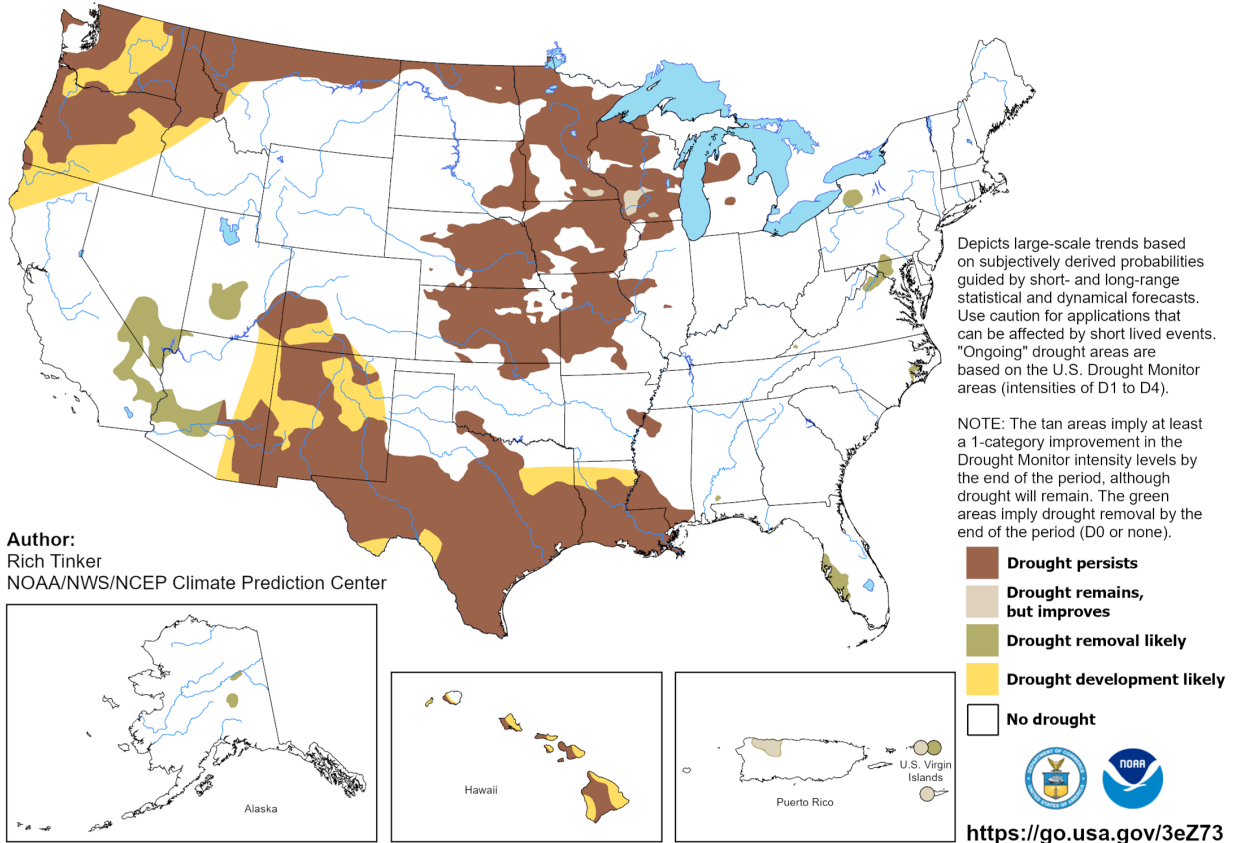
Orvis (Yes/No) Tobias (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)

Action(s) to be taken:

U.S. Seasonal Drought Outlook

Drought Tendency During the Valid Period

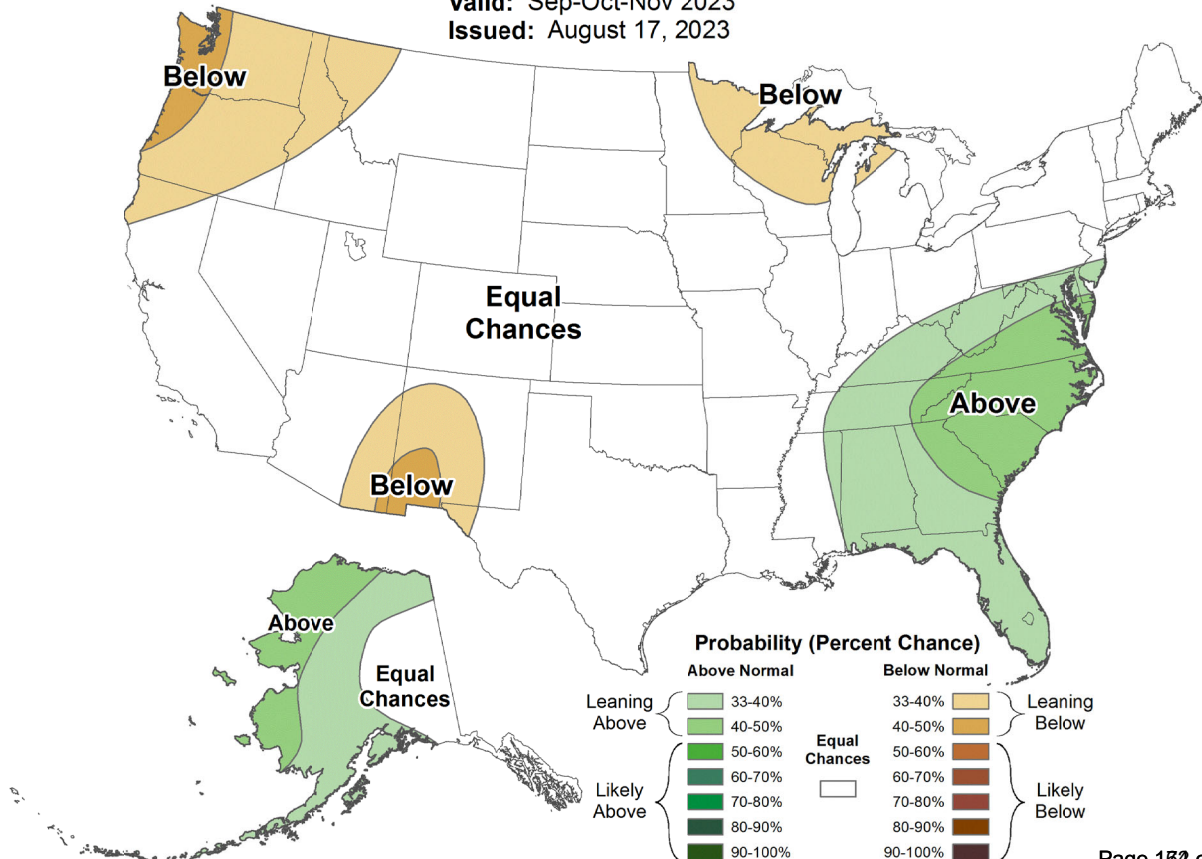
Valid for August 17 - November 30, 2023
Released August 17, 2023



Seasonal Precipitation Outlook



Valid: Sep-Oct-Nov 2023
Issued: August 17, 2023



Summary

ENSO Alert System Status: **El Niño Advisory**

El Niño conditions are observed.*

Equatorial sea surface temperatures (SSTs) are above average across the central and eastern Pacific Ocean.

The tropical Pacific atmospheric anomalies are consistent with El Niño.

El Niño is anticipated to continue through the Northern Hemisphere winter (with greater than a 95% chance through December 2023-February 2024).*

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 18
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION REGARDING OID POTENTIALLY GRANTING THE ME-WUK TRIBE AN EXTENSION OF TIME TO COMPLETE CEQA IN OUR WATER TRANSFER AGREEMENT

RECOMMENDED ACTION: Approval of Extension of time.

BACKGROUND AND/OR HISTORY:

As the Board may be aware, the Me-Wuk Tribe has had some unfortunate setbacks in the construction of their new casino. These issues must be rectified before the Tribe can complete CEQA on our joint water transfer agreement. The Tribe is asking for a two-year extension of time to execute this agreement.

FISCAL IMPACT: Minimal revenue that would have been generated by water sales

ATTACHMENTS: Communications from Jeanne Zolezzi

Board Motion:

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

VOTE

Orvis (Yes/No) Tobias (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)

Action(s) to be taken:



Jeanne M. Zolezzi
jzolezzi@herumcrabtree.com

VIA ELECTRONIC TRANSMISSION

August 15, 2023

Mr. Scot Moody
General Manager
Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Mr. Peter Rietkerk
General Manager
South San Joaquin Irrigation District
Post Office Box 747
Ripon, CA 95366

Re: Water Transfer Agreement

Gentlemen:

I am writing in regards to the Water Transfer Agreement by and Between the Oakdale Irrigation District, South San Joaquin Irrigation District, and the Chicken Ranch Rancheria of Me-Wuk Indians of California dated September 8, 2022 ("**Agreement**"). We are so appreciative that the districts have executed the agreement, and the tribe is doing everything within its power to bring it to fruition.

Section 15 of the Agreement makes compliance with CEQA a condition precedent to delivery under the Agreement. Section 16.A of the Agreement provides that if regulatory approval and final CEQA action are not satisfied by December 31, 2024, either party may terminate this Agreement by written notice to the other Party. We want to ensure that Agreement is implemented, and wanted to bring to your attention that we have not been able to meet our anticipated CEQA schedule due to other pressing issues facing the tribe.

We would respectfully request that we execute an amendment to the Agreement to allow the tribe a two year extension of its obligation to obtain regulatory approval and final CEQA actions under the Agreement. I have enclosed such an amendment for your consideration. I look forward to hearing from you.

Very truly yours,

HERUM CRABTREE SUNTAG

A handwritten signature in black ink, appearing to read "Jeanne Zolezzi".

JEANNE M. ZOLEZZI
Attorney-at-Law

FIRST AMENDMENT TO WATER TRANSFER AGREEMENT

This FIRST AMENDMENT TO WATER TRANSFER AGREEMENT (“**Amendment**”) is entered into this ____ day of September, 2023 as an amendment to that Water Transfer Agreement by and Between the Oakdale Irrigation District, South San Joaquin Irrigation District, and the Chicken Ranch Rancheria of Me-Wuk Indians of California dated September, 8, 2022 (“**Agreement**”). Capitalized terms not defined in this Amendment shall have the meanings assigned to them in the Agreement.

1. RECITALS.

A. Section 15 of the Agreement makes compliance with CEQA a condition precedent to delivery under the Agreement.

B. Section 16.A of the Agreement provides that if regulatory approval and final CEQA action are not satisfied by December 31, 2024, either party may terminate this Agreement by written notice to the other Party.

C. Chicken Ranch has been unable to meet its anticipated CEQA schedule due to other pressing issues facing the tribe.

D. Chicken Ranch has requested an amendment to the Agreement to allow it a two year extension of its obligation to obtain regulatory approval and final CEQA actions under the Agreement.

NOW, THEREFORE, the Parties hereby agree as follows:

2. **SECTION 5.** The following Build-Up Schedule is hereby substituted for the original Build-Up Table included in Section 5 of the Agreement:

YEAR	M&I	AG	TOTAL
1	75	0	75
2	190	0	190
3	200	300	500
4	210	300	510
5	220	300	520
6	230	300	530
7	240	300	540
8	250	600	850
9	260	600	860
10	270	600	870
11	280	600	880
12	290	600	890
13	300	900	1,200
14	300	900	1,200

15	300	900	1,200
16	300	900	1,200
17	300	900	1,200
18	300	1,200	1,500
19	300	1,200	1,500
20	300	1,200	1,500
21	300	1,200	1,500
22	300	1,200	1,500
23	300	1,200	1,500
24	300	1,200	1,500
25	300	1,200	1,500

3. **SECTION 16.A.** Section 16.A of the Agreement is hereby withdrawn and replaced in its entirety with the following language:

A. Prior to water delivery under this Agreement, if regulatory approvals and final CEQA action are not satisfied by December 31, 2026, either Party may terminate this Agreement by written notice to the other Party;

4. **CONTINUING VALIDITY. VALIDITY.** Except as otherwise provided in this Amendment, the Agreement shall continue in full force and affect and govern this transaction.

5. **COUNTERPARTS AND ELECTRONIC SIGNATURES.** This Amendment may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, equally admissible in evidence, but all of which together shall constitute one and the same agreement, notwithstanding that the signatures of each Party or their respective representatives do not appear on the same page of this Amendment. The Parties hereby acknowledge and agree that electronic signatures, facsimile signatures, electronic signatures that comply with the eSign Act (15 U.S.C. Ch. 96) (such as DocuSign signatures), or signatures transmitted by electronic mail in so-called "pdf" format shall be legal and binding and shall have the same full force and effect as if an original of this Amendment had been delivered. The Parties hereto (a) intend to be bound by the signatures on any document sent by electronic means including by facsimile or electronic mail, (b) are aware that the other Party will rely on such signatures, and (c) hereby waive any defenses to the enforcement of the terms of this Amendment based on the foregoing forms of signature.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed as of the Effective Date.

OAKDALE IRRIGATION DISTRICT

By: _____
Scot A. Moody, General Manager

Attest: _____
Secretary

SOUTH SAN JOAQUIN IRRIGATION DISTRICT

By: _____
Peter Rietkerk, General Manager

Attest: _____
Secretary

CHICKEN RANCH RANCHERIA OF ME-WUK
INDIANS OF CALIFORNIA

By: _____
Lloyd Mathiesen, Chairman

BOARD AGENDA REPORT

Date: September 12, 2023
Item Number: 19
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION REGARDING OI D POTENTIALLY SPONSORING THE MAGNOLIA ELEMENTARY SCHOOL 4TH GRADE CLASS TO VIEW THE SALMON RUN AT KNIGHTS FERRY

RECOMMENDED ACTION: Approval to sponsor two busses for four hours

BACKGROUND AND/OR HISTORY:

The District has received a request from Magnolia Elementary School for the District to sponsor two busses for four hours to view the salmon run at Knights Ferry. The District has sponsored this trip in the past as an educational opportunity for all local elementary schools.

FISCAL IMPACT: \$690

ATTACHMENTS: None.

Board Motion:

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

VOTE

Orvis (Yes/No) Tobias (Yes/No) Doornenbal (Yes/No) Santos (Yes/No) DeBoer (Yes/No)

Action(s) to be taken:



COMMUNICATIONS

BOARD MEETING OF SEPTEMBER 12, 2023



CLOSED SESSION ITEMS

BOARD MEETING OF SEPTEMBER 12, 2023