

**AMENDED
AGENDA
SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
OAKDALE IRRIGATION DISTRICT
TUESDAY, APRIL 18, 2017**

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

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

PLEDGE OF ALLEGIANCE

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

ADDITIONS OR DELETION OF AGENDA ITEMS

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

PUBLIC COMMENTS – ITEM 1

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

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

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

Public Comments will be limited to five minutes per speaker.

PUBLIC HEARING CALENDAR – ITEM 2

2. Public Hearing to Accept Comments on the Redistricting Map of the Directors' Divisions of the Oakdale Irrigation District

CONSENT CALENDAR - ITEMS 3 - 5

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

3. Approve the **Board of Directors' Minutes of the Regular Meeting of April 4, 2017**
4. Approve **Oakdale Irrigation District Statement of Obligations**
5. Approve **Improvement District Statement of Obligations**
- 5A Approve **Amendment No. 06 to General Services Agreement 2013-GSA-029 with Pacific Stabilizers, Inc., dba KDK Oils to Increase the Rates**

ACTION CALENDAR – ITEMS 6 - 9

6. Review and take possible action to **Approve a Resolution Adopting Redistricting Map of the Directors' Divisions of the Oakdale Irrigation District**
7. Review and take possible action to **Approve a Resolution in Support of the Association of California Water Agencies' Policy Statement on Bay-Delta Flow Requirements**
8. Review and take possible action to **Provide a Letter of Support for the City of Modesto's Remedial Investigation / Feasibility Studies for Nitrate, Arsenic and Uranium Project Proposition 1 Groundwater Grant Program**
9. Review and take possible action to **Approve a Resolution Adopting Rules Related to Unclaimed Check Policy**

DISCUSSION – ITEM 10

10. Discussion on **Business Items as they Appear on the Tri-Dam Board Agenda for Thursday, April 20, 2017**

COMMUNICATIONS – ITEM 11

11. Oral Reports and Comments

- A. **General Manager's Report on Status of OID Activities**
- B. **Water Counsel's Report**
- C. **Committee Reports**
- D. **Directors' Comments/Suggestions**

CLOSED SESSION - ITEM 12

12. Closed Session to discuss the following:

- A. **Government Code §54956.9(d)(1) - Existing Litigation (4 cases)**
Oakdale Groundwater Alliance; Frobose, Brichetto, et al. v. Oakdale Irrigation District
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.,
Chris Lewis v. Oakdale Irrigation District
Gregory L. Ellis, et al., v. Oakdale Irrigation District
- B. **Government Code §54956.8 Conference with Real Property Negotiator**
Negotiating Parties: **OID and Bobby Goad**
Property: **APN: 064-032-001**
Under Negotiations: **Price and terms**

OTHER ACTION – ITEM 13

13. Adjournment:

- A. The next Regular Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, May 2, 2017 at 9:00 a.m.** in the board room at 1205 East F Street, Oakdale, CA.
- B. The next Joint Board Meeting of the **South San Joaquin and Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **Thursday, April 20, 2017 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120 Street, Manteca, CA.

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

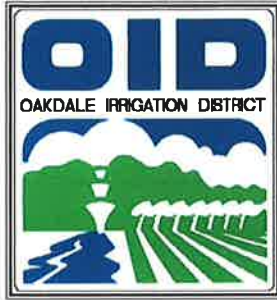
ADA Compliance Statement: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the Administrative Assistant at (209) 840-5507. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements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



PUBLIC COMMENTS

No Information Included

SPECIAL BOARD MEETING OF APRIL 18, 2017



PUBLIC HEARING

**SPECIAL BOARD MEETING OF
APRIL 18, 2017**



AGENDA ITEMS CONSENT CALENDAR

SPECIAL BOARD MEETING OF APRIL 18, 2017

BOARD AGENDA REPORT

Date: April 18, 2017

Item Number: 3

APN: N/A

SUBJECT: APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE REGULAR MEETING OF APRIL 4, 2017

RECOMMENDED ACTION: Approve

ATTACHMENTS:

- Draft Minutes of the Board of Directors' Special Meeting of April 4, 2017

Board Motion:

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

VOTE:

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

Action(s) to be taken:

MINUTES

Oakdale, California
April 4, 2017

The Board of Directors of the Oakdale Irrigation District invited all to recite the Pledge of Allegiance and then met in Regular Session at the hour of 9:03 a.m. Upon roll call, there were present:

Directors: Steve Webb, President
Herman Doornenbal, Vice President
Gail Altieri
Linda Santos
Absent: Gary Osmundson
Staff Present: Steve Knell, General Manager/Secretary
Jason Jones, Support Services Manager
Eric Thorburn, Water Operations Manager
Kathy Cook, Chief Financial Officer
Also Present: Fred A. Silva, General Counsel

ADDITION OR DELETION OF AGENDA ITEMS

There were no additions or deletions of Agenda Items.

ACTION TO TAKE VARIOUS ITEMS OUT OF SEQUENCE

There were no items taken out of sequence.

At the hour of 9:04 a.m. the Board welcomed public comment.

PUBLIC COMMENT ITEM NO. 1

Robert Frobose discussed posting on Facebook.

Fred Burtschi thanked the District for the most recent General Manager's Newsletter which explains the Oakdale Irrigation District tax.

Member of the Public, name unknown, commented on the redistricting.

Tom Orvis, Stanislaus County Farm Bureau, reminded everyone about the 103rd Annual Meeting of the Stanislaus County Farm Bureau to be held on April 20, 2017 at the SOS Club in Modesto.

There being no further Public Comment; Public Comment closed at 9:11 a.m. and the Board Meeting continued.

Attorney Silva requested that Item No. 2 be pulled from the Consent Calendar.

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

ITEM NO. 3
APPROVE THE BOARD OF DIRECTORS
MINUTES OF THE SPECIAL MEETING OF MARCH 24, 2017

A motion was made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve the Board of Directors' Minutes of the Special Meeting of March 24, 2017.

ITEM NO. 4
APPROVE THE OAKDALE IRRIGATION
DISTRICT STATEMENT OF OBLIGATIONS

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

ITEM NO. 5
APPROVE PURCHASE OF ONE (1) NEW HOSHI
ICE MACHINE FROM UNITED REFRIGERATION (UNBUDGETED)

A motion as made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve the purchase of one (1) new Hoshi Ice Machine from United Refrigeration (unbudgeted).

ITEM NO. 6
APPROVE PURCHASE OF ONE (1) NEW VENTURO
ET-12KX ELECTRIC/HYDRAULIC TRUCK MOUNTED CRANE
FROM STILES TRUCK BODY & EQUIPMENT, INC. (BUDGETED)

A motion was made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve the purchase of one (1) new Venturo ET-12KX electric/hydraulic truck mounted crane from Stiles Truck Body & Equipment, Inc. (Budgeted).

ITEM NO. 7
APPROVE WORK RELEASE NO. 065 TO PROFESSIONAL SERVICES AGREEMENT 2009-PSA-015 WITH GIULIANI & KULL, INC. FOR PROFESSIONAL SERVICES TO PREPARE A PLAT AND LEGAL DESCRIPTION FOR A SIXTY FOOT EASEMENT FOR THE YOUNG LATERAL THROUGH APN: 002-012-063

A motion was made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve Work Release No. 065 to Professional Services Agreement 2009-PSA-015 with Giuliani & Kull, Inc. for professional services to prepare a plat and legal description for a sixty foot easement for the Young Lateral through APN: 002-012-063.

ITEM NO. 8
APPROVE REQUEST TO WAIVE NEW CONNECTION FEES (APNS: 002-056-015/016 – 3R RANCHES, LP, JOHN AND JACQUELINE BRICHETTO 2008 REVOCABLE TRUST DATED MAY 7, 2008, JOSEPH P. BRICHETTO, AND JOHN M. BRICHETTO)

A motion was made by Director Doornenbal, seconded by Director Altieri, and unanimously supported to approve the request to waive new connection fees (APNS: 002-056-015/016 – 3R Ranches LP, John and Jacqueline Brichetto 2008 Revocable Trust Dated May 7, 2008, Joseph P. Brichetto, and John M. Brichetto).

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

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

PULLED CONSENT CALENDAR
ITEM NO. 2

ITEM NO. 2
APPROVE THE BOARD OF DIRECTORS' MINUTES OF THE SPECIAL MEETING OF MARCH 21, 2017 AND RESOLUTION NOS. 2017-41, 2017-42, and 2017-43

Attorney Silva stated that the reportable action coming out of Closed Session for Item No. 19.A. was incorrect and should be changed to read as follows:

A motion was made by Director Altieri and seconded by Director Osmundson to research and investigate the issue of filing a writ of mandamus, and was voted as follows:

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

The motion passed by a vote of 4-1.

Brian Lemmons stated that the name contained under the Presentation / Public Hearing Item No. 2 was incorrect. He stated that the individual's name is "Fran" not "Frank."

A motion was made by Director Altieri, seconded by Director Santos, and unanimously supported to approve the Board of Directors' Minutes of the Special Meeting of March 21, 2017 and Resolution Nos. 2017-41, 2017-42, and 2017-43 once the above corrections have been made to the Minutes.

Consent Item No. 2 passed 4-0 by the following vote:

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

ACTION CALENDAR
ITEMS NOS. 9, 10, 11, 12

ITEM NO. 9
REVIEW AND TAKE POSSIBLE ACTION ON FUNDING REQUEST
OF OJUSD CONTINUED SUPPORT OF SALMON STUDIES PROGRAM

A motion was made by Director Webb, seconded by Director Altieri, and unanimously supported to approve the funding request of OJUSD for the continued support of the Salmon Studies Program in the sum \$2,100 for busing costs.

The motion passed 4-0 by the following vote:

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

ITEM NO. 10
REVIEW AND TAKE POSSIBLE ACTION ON THE SELECTION OF
A REDISTRICTING OPTION TO BRING FORWARD TO A PUBLIC
HEARING AND ADOPTION BY THE BOARD ON APRIL 18, 2017

A motion was made by Director Webb, seconded by Director Doornenbal, and unanimously supported to select Redistricting Option 1 and bring it forward to public hearing and action by the Board on April 18, 2017.

The motion passed 4-0 by the following vote:

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

ITEM NO. 11
REVIEW AND TAKE POSSIBLE ACTION TO CERTIFY
THE VOTE OF IMPROVEMENT DISTRICT 22 MEMBERSHIP
TO APPROVE ELECTION OF COMMITTEE MEMBERS

A motion was made by Director Santos, seconded by Director Doornenbal, and unanimously supported to certify the vote of Improvement District 22 Membership to approve the Election of Committee Members.

The motion passed 4-0 by the following vote:

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

ITEM NO. 12
REVIEW AND TAKE POSSIBLE ACTION TO CERTIFY THE
VOTE OF IMPROVEMENT DISTRICT NO. 51 MEMBERSHIP TO
APPROVE REVISED RULES AND REGULATIONS FOR ANNUAL
MEETINGS AND ELECTION OF COMMITTEE MEMBERS

A motion was made by Director Santos, seconded by Director Altieri, and unanimously supported to certify the vote of Improvement District No. 51 Membership to approve revised Rules and Regulations for Annual Meeting and Election of Committee Members.

The motion passed 4-0 by the following vote:

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

COMMUNICATIONS
ITEM NO. 13

A. GENERAL MANAGERS REPORT

General Manager Steve Knell reported on various operations of the District.

B. COMMITTEE REPORTS

There were no committee reports.

C. DIRECTORS COMMENTS

Director Altieri

Director Altieri expressed her disappointment in the lack of accommodation for the public who attended the March 21, 2017 Board Meeting to discuss the long overdue issue of redistricting.

Director Santos

Director Santos thanked Attorney Silva for pulling the Minutes of March 21, 2017 and acknowledging the correction. Director Santos also commented on the lack of accommodation at the March 21, 2017 meeting for the public. Director Santos further stated that she was pleased with the decision made on the redistricting today.

Director Doornenbal

Director Doornenbal had no comments.

Director Webb

Director Webb stated that we have a good start to the irrigation season and everything is running well and under control.

At the hour of 9:45 a.m. the Board adjourned to Closed Session after receiving public comment on the Closed Session items.

CLOSED SESSION
ITEM NO. 14

A. Government Code §54956.8 Conference with Real Property Negotiator

Negotiating Parties: OID, SSJID, SEWD
Property: Water
Agency Negotiators: General Manager
Under Negotiations: Terms and Price

B. Government Code §54956.9(d)(1) - Existing Litigation (4 cases)

Oakdale Groundwater Alliance; Frobose, Brichetto, et al. v. Oakdale Irrigation District
Oakdale Irrigation District v. Linda Santos, Gail Altieri, et al.,
Chris Lewis v. Oakdale Irrigation District
Gregory L. Ellis, et al., v. Oakdale Irrigation District

C. Government Code §54956.8 Conference with Real Property Negotiator

Negotiating Parties: Farmers Livestock Market, Inc., Steve Haglund
Property: Dirt
Agency Negotiators: General Manager
Under Negotiations: Price and Terms

At the hour of 10:04 a.m. the Board reconvened to open session.

Coming out of Closed Session the following reportable action was made:

Item No. 14.C. A motion was made by Director Webb, seconded by Director Doornenbal and unanimously approved to proceed forward with the preparation of an agreement to purchase the dirt from Steve Haglund for the sum of \$1.00 per yard, forward the agreement to Attorney Silva for review, and bring it back to the Board for action on the Consent Calendar.

OTHER ACTION
ITEM NO. 15

At the hour of 10:05 a.m. the meeting was adjourned. The next Special Board Meeting of the **Oakdale Irrigation District Board of Directors** is scheduled for **Tuesday, April 18, 2017 at 6:00 p.m.** in the board room at 1205 East F Street, Oakdale, CA.

The next Joint Board Meeting of the **South San Joaquin and Oakdale Irrigation Districts** serving the **Tri-Dam Projects** and **Tri-Dam Authority** and other joint business matters is scheduled for **Thursday, April 20, 2017 at 9:00 a.m.** in the board room of the South San Joaquin Irrigation District, 11011 East Highway 120, Manteca, CA

Steve Webb, President

Attest:

Steve Knell, P.E., Secretary

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 4
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>
Tri-West Tractor, Inc.	2 – Kobelco Mini Excavators	\$128,958.89
Kaiser Foundation Health Plan, Inc.	May 2017 Health Insurance	45,270.18
Calpers	Retirement Contribution	25,681.15
Morrill Industries, Inc.	12", 15", 30", & 36" Couplers	19,070.98
	15" & 18" Adapters	
OID Improvement Districts	March 2017 Reimbursement	14,812.53
Les Schwab, Inc.	Kawasaki 85Z Tires	14,501.64
O'Laughlin & Paris LLP	Attorney Fees	12,540.00
ACWA-JPIA	May 2017 Dental/Vision Insurance	8,393.57
Rubicon, Inc.	Rubicon Hardware & Licensing Maintenance	7,485.88
	Hosting & Supervision	
George Reed, Inc.	Crushed Rock	6,643.31

FISCAL IMPACT: \$356,183.79

ATTACHMENTS:

- Statement of Obligations – Accounts Payable

Board Motion:

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

VOTE

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

Action(s) to be taken:

OAKDALE IRRIGATION DISTRICT

**STATEMENT
OF
OBLIGATIONS**

April 18, 2017

Accounts Payable
Check Register - April 18, 2017



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
21041	4/5/2017	United Refrigeration Inc.	\$3,196.72	Ice Machine
21042	4/10/2017	AT&T	\$81.12	Phone Charges 3/25/17 - 4/24/17
21043	4/10/2017	California State Disbursement Unit	\$207.69	Levy
21044	4/10/2017	California State Disbursement Unit	\$194.30	Levy
21045	4/10/2017	City of Oakdale - Utilities	\$316.94	Water/Sewer 2/16/17 - 3/15/17
21046	4/10/2017	Franchise Tax Board	\$520.00	Levy
21047	4/10/2017	Stanislaus County Sheriff's Department	\$100.00	Levy
21048	4/10/2017	Chian Shou, Inc.	\$36.44	Refund - APN: 010-076-001
21049	4/18/2017	ABS Presort, Inc.	\$2,471.89	GM Monthly Newsletter - April
21050	4/18/2017	Ace Hardware	\$192.39	Coupling, Bolts, Barb Fittings, Light Bulbs, Keys
21051	4/18/2017	Acme Rigging & Supply Company	\$655.71	Binders, Chain, Hooks
21052	4/18/2017	ACWA-JPIA	\$8,393.57	Dental/Vision Insurance - May
21053	4/18/2017	Allied Concrete and Supply Co., Inc.	\$2,109.11	Concrete
21054	4/18/2017	Battery Systems	\$200.65	Batteries
21055	4/18/2017	Betschart, Shane	\$100.00	Refund - APN: 002-053-033
21056	4/18/2017	Boutin Jones, Inc.	\$1,959.50	Attorney Fees
21057	4/18/2017	California Public Employees' Retirement System	\$25,681.15	Retirement Contribution
21058	4/18/2017	Casey Moving Systems Records Management	\$96.00	Shredding - March
21059	4/18/2017	Chicago Title Co.	\$87.43	Refund - APNs: 002-015-050 & 010-033-017
21060	4/18/2017	Coffee Break Service, Inc.	\$131.90	Coffee Service
21061	4/18/2017	Comcast Business	\$318.38	Office Phone Charges - April
21062	4/18/2017	CoreLogic Solutions, LLC	\$272.00	Real Quest - March
21063	4/18/2017	Crop Production Services	\$4,770.24	Roundup Pro, Weed AR 64
21064	4/18/2017	Cypress Title Company	\$45.00	Refund - APN: 063-065-014
21065	4/18/2017	Davids Engineering, Inc.	\$5,119.00	WR #007
21066	4/18/2017	Denair Lumber Company, Inc.	\$526.53	Lumber
21067	4/18/2017	Devnalysis	\$60.00	Hosting - oidwaterresourcesplan.org, savethestan.org
21068	4/18/2017	Don's Mobile Glass, Inc.	\$442.00	Windshield Replacement - #32, #179
21069	4/18/2017	EZ Haul	\$2,159.23	Premier Plug
21070	4/18/2017	Fastenal Company	\$1,719.54	Coolers, Tape Measures, Safety Glasses, Poly Foam
21071	4/18/2017	Fedak & Brown LLP	\$945.00	2016 Audit Services
21072	4/18/2017	Fishbio, Inc.	\$2,632.02	Honolulu Bar Phase III 10/1/16 - 2/28/17
21073	4/18/2017	Fragie, Will	\$75.00	Steel Toe Boots Reimbursement
21074	4/18/2017	Fresno Valves & Castings, Inc.	\$1,001.48	Air Vents
21075	4/18/2017	George Reed, Inc.	\$6,643.31	Crushed Rock
21076	4/18/2017	GGD Oakdale LLC	\$2,414.07	DSO Office Lease - May
21077	4/18/2017	Giuliani & Kull, Inc.	\$590.00	WR #062
21078	4/18/2017	Grainger	\$507.34	Charts, Hose Reel, Pump, Adapters, NPT Kit Fitting
21079	4/18/2017	Haidlen Ford	\$1,139.32	Fuel Sensor, Wire, Engine Module, Audio Control
21080	4/18/2017	Hilmar Lumber, Inc.	\$4,363.92	18" x 4" Tees, PVC Glue, 15", 24" & 30" Elbows
21081	4/18/2017	Hughson Farm Supply	\$233.75	Coupler, Housing, PVC Hose, Cup Assembly
21082	4/18/2017	Kaiser Foundation Health Plan, Inc.	\$45,270.18	May 2017 Health Insurance
21083	4/18/2017	Lagorio Ranch	\$200.00	Refund - APNs: 002-012-007 & 001-012-014
21084	4/18/2017	Les Schwab, Inc	\$14,501.64	Kawasaki 85Z Tires
21085	4/18/2017	Machado Backhoe, Inc.	\$2,385.18	12" & 21" Headwall Structures w/Couplers

Accounts Payable
Check Register - April 18, 2017



Oakdale Irrigation District
1205 East F Street
Oakdale, CA 95361

Check No	Check Date	Vendor Name	Amount	Description
21086	4/18/2017	McMaster-Carr	\$234.39	Screws, Bearings, Strainer
21087	4/18/2017	Mission Uniform Service	\$888.72	Uniform Service
21088	4/18/2017	Modesto Bee	\$609.05	Employment Ad
21089	4/18/2017	Modesto Irrigation District	\$133.23	Electricity
21090	4/18/2017	Modesto Steel	\$2,299.97	2" Pipe, 1" Round Bar, 1 1/2" Pipe, Flat Bar
21091	4/18/2017	Morrill Industries, Inc.	\$19,070.98	15" & 18.7" Flange Adapters, 12", 15", 30" & 36" Couplers
21092	4/18/2017	NorCal Kenworth	\$1,098.50	Airspring, Door Lamp, Water Pump, Tensioner, Belt, Pulley
21093	4/18/2017	Oakdale Automotive Repair & Tire	\$1,038.84	LT275/70R18 Tires - #30, Mount Tires - #57
21094	4/18/2017	Oakdale Auto Parts	\$3,662.09	Tool Box, Fuel Transfer Pumps, Floor Mats, Air Line Kit
21095	4/18/2017	Oakdale Leader	\$771.22	National Ag Week, Employment Ad
21096	4/18/2017	Oakdale Locksmith	\$6.49	Keys
21097	4/18/2017	Oakdale Sober Grad Night Committee	\$250.00	2017 Sober Grad Night Donation
21098	4/18/2017	Oak Valley Hospital	\$1,349.00	Medical Card Renewals, Pre-Employment Exams
21099	4/18/2017	Office Depot	\$421.54	Office Supplies
21100	4/18/2017	OID Improvement Districts	\$14,812.53	March 2017 Collections Reimbursement
21101	4/18/2017	O'Laughlin & Paris LLP	\$12,540.00	Attorney Fees
21102	4/18/2017	P.F. Pettibone & Co.	\$182.90	Resolution Book
21103	4/18/2017	P & L Concrete Products, Inc.	\$447.28	Concrete
21104	4/18/2017	Resource Building Materials	\$145.44	Concrete
21105	4/18/2017	Rubicon, Inc.	\$7,485.88	Drum Assy, Hardware & Lic. Maint., Hosting & Supervision
21106	4/18/2017	Rugid Computer, Inc.	\$439.96	Rug3 Controller, Port
21107	4/18/2017	Safe-T-Lite of Modesto, Inc.	\$514.50	Marking Paint, Shovels
21108	4/18/2017	Samba Holdings, Inc.	\$123.51	Fleet Watch - March
21109	4/18/2017	Savemart Supermarkets	\$741.50	Ice, Rubicon Employee Training
21110	4/18/2017	Senix Corporation	\$1,504.50	ToughSonic Remote 14 Level Sensor
21111	4/18/2017	Skokan, David	\$81.94	Use Tax - Trk #47
21112	4/18/2017	Streamline	\$400.00	Monthly Website Fee - March
21113	4/18/2017	Tri-West Tractor Incorporated	\$128,958.89	Adapters, Kobelco Mini Excavator - Unit #3 & Unit #4
21114	4/18/2017	USA BlueBook	\$131.45	Repellent
21115	4/18/2017	Valley Air Conditioning Engineering, Inc.	\$725.00	Service Repair
21116	4/18/2017	Verizon Wireless	\$1,580.09	Cell Phone Charges & Cimis Station - March
21117	4/18/2017	Vintage Faire Mall	\$3,743.05	1st Quarter Productivity Gift Cards & Fees
21118	4/18/2017	Visa	\$867.45	SSD Mounting Bracket Kit, Sit/Stand Desks
21119	4/18/2017	Visa	\$59.94	Microphone Covers
21120	4/18/2017	Walsh, John	\$48.00	Health and Wellness Reimbursement - March
21121	4/18/2017	W. H. Breshears, Inc.	\$1,214.12	Fuel
21122	4/18/2017	White Cap Construction Supply	\$1,520.33	14" Gas Cut-Off Saw, Mortar Mix, Rebar, Pallet
21123	4/18/2017	Wienhoff Drug Testing, Inc.	\$935.00	Random Selection Drug Testing - February & March
21124	4/18/2017	Wille Electric Supply Co., Inc.	\$79.87	Fuses
			<u>\$356,183.79</u>	

OAKDALE IRRIGATION DISTRICT
STATEMENT OF OBLIGATIONS
April 18, 2017

Voided Check No. 18571

THE FOREGOING CLAIMS, NUMBERED 21041 Through 21124 INCLUSIVE
ARE APPLIED TO THE GENERAL FUND OF OAKDALE IRRIGATION DISTRICT
AND ARE OBLIGATIONS AUTHORIZED THERETO.

_____	_____
_____	_____

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 5
APN: N/A

SUBJECT: APPROVE OID IMPROVEMENT DISTRICT'S STATEMENT OF OBLIGATIONS

RECOMMENDED ACTION: Approve

BACKGROUND AND DISCUSSION:

Check number 1231 for the reimbursement of Improvement District's March 2017 O & M expenses in the amount of \$4,997.81 is being submitted for Board approval.

FISCAL IMPACT: \$4,997.81

ATTACHMENTS:

- Statement of Obligations
-

Board Motion:

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

VOTE:

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

Action(s) to be taken:

**OAKDALE IRRIGATION DISTRICT
IMPROVEMENT DISTRICT ACCOUNT**

1231

DATE: 18-Apr-17		TO: Oakdale Irrigation District			
MAINTENANCE PAYABLE					
I.D. #	March O & M Expense	I.D. #	March O & M Expense		
1	428.37	31	347.23 584.34 1,514.52 2,123.35		Note: Included Misc. Recon. Items
2					
8					
13					
19					
20				I.D. #	Construction In Progress
21					
22					
26					
29					
SUB-TOTAL	\$428.37	SUB-TOTAL	\$4,569.44	SUB-TOTAL	\$0.00
				VOUCHER CHARGES	
				Maintenance & Operations \$4,997.81	
				Capital Projects \$0.00	
				TOTAL AMOUNT \$4,997.81	

**OAKDALE IRRIGATION DISTRICT
IMPROVEMENT DISTRICTS
STATEMENT OF OBLIGATIONS
FOR JANUARY 1, 2017 - MARCH 31, 2017**

CHECK

NO.	PAYABLE TO:	AMOUNT	DATE
1227	OAKDALE IRRIGATION DISTRICT	\$11,446.75	01/03/2017
1228	OAKDALE IRRIGATION DISTRICT	56,482.35	01/18/2017
1229	OAKDALE IRRIGATION DISTRICT	3,043.75	02/21/2017
1230	OAKDALE IRRIGATION DISTRICT	9,102.29	03/21/2017
1231	OAKDALE IRRIGATION DISTRICT	4,997.81	04/18/2017

THE FOREGOING CLAIM NUMBERED 1231 WAS APPLIED TO
GENERAL FUNDS OF THE OAKDALE IRRIGATION'S IMPROVEMENT
DISTRICTS AND ARE AUTHORIZED THERETO.

_____	_____
_____	_____

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 5A
APN: N/A

SUBJECT: APPROVE AMENDMENT NO. 06 TO GENERAL SERVICES AGREEMENT 2013-GSA-029 WITH PACIFIC STABILIZERS, INC., dba KBK OILS TO INCREASE THE RATES

RECOMMENDED ACTION: Authorize General Manager to Execute Amendment No. 06

BACKGROUND AND/OR HISTORY:

The District has a General Services Agreement with Pacific Stabilizers, Inc., dba KBK Oils who provide dust retardant to the canal banks. The rate will increase from \$115.11/Ton to \$119.39/Ton effective April 18, 2017. The rate will include delivery, placement and sales tax. The Exhibit "B" Rate Schedule will be revised showing the Unit Rate increase.

The District utilizes the services of Pacific Stabilizers, Inc., dba KBK Oils to deliver and place dust retardant to the Cometa Lateral canal bank and access road through the parcels owned by Jose Vigil and Jim Brunk for access to the Brunk borrow site per the access agreement with Jose Vigil and borrow site agreement with Jim Brunk.

Staff recommends that the Board approve Amendment No. 06 and authorize the General Manager to execute Amendment No. 06 to amend General Services Agreement 2013-GSA-029 and revise the rates per the Amendment.

FISCAL IMPACT: Unknown at this time

ATTACHMENTS:

- Contract Amendment No. 06

Board Motion:

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

VOTE:

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

Action(s) to be taken:



**OAKDALE IRRIGATION DISTRICT
GENERAL SERVICES AGREEMENT
2013-GSA-029, AMENDMENT NO. 6**

WITNESSETH THIS AMENDMENT TO THE GENERAL SERVICES AGREEMENT, made this 18th day of April, 2017, by and between Oakdale Irrigation District, hereinafter called the "District" and Pacific Stabilizers, Inc., dba KBK Oils hereinafter called the "Contractor" agrees to furnish at its own expense, all the labor, equipment and material necessary to do and perform in a good and workmanlike manner all the necessary work as needed by the District per this AMENDMENT.

In connection with the foregoing Contract, the parties hereto mutually agree as follows:

1. Extend Contact period from May 17, 2017 through May 17, 2018.
2. The Rate will increase from \$115.11/Ton to \$119.39/Ton. The Rate will include delivery, placement and sales tax.

There are no other changes to the General Service Agreement. All other Terms and Conditions of the original General Services Agreement remain the same for this Amendment No. 6.

IN WITNESS WHEREOF, the parties have hereunto set their hands.

OAKDALE IRRIGATION DISTRICT

**PACIFIC STABILIZERS, INC.
DBA KBK OILS**

Steve Knell, P.E.
General Manager

Name:
Title:

Date: _____

Date: _____



AGENDA ITEMS ACTION CALENDAR

SPECIAL BOARD MEETING OF APRIL 18, 2017

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 6
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RESOLUTION ADOPTING REDISTRICTING MAP OF THE DIRECTORS' DIVISIONS OF THE OAKDALE IRRIGATION DISTRICT

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

At the April 4, 2017 Board Meeting two map options were presented to the Board of Directors for consideration:

- Option 1 – Equalizes only population as is required by the law. To achieve this equal apportionment of population some minor adjustments were made to the division boundaries within the City of Oakdale. All else remains unchanged.
- Option 2 – Meets population apportionment criteria as required by law and balances acreage (as best practical) within each director's voting division. The three communities of interest are more equally distributed thereby offering more agricultural representation in each voting division, which is missing Option 1.

The Board of Directors selected Option 1 at the April 4, 2017 Board Meeting and directed staff to bring Option 1 back to the Board on April 18, 2017 for public hearing and adoption by the Board of Directors.

A public hearing was held at the start of this Board Meeting and pending any unforeseen comments by the public, staff recommends that the Board approve the Resolution Adopting the Redistricting Map of the Directors' Divisions of the Oakdale Irrigation District.

FISCAL IMPACT: None

ATTACHMENTS:

- Resolution 2017-NIL
-

Board Motion:

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

VOTE

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

Action(s) to be taken:

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2017-NIL**

**RESOLUTION ADOPTING REDISTRICTING MAP OF THE
DIRECTORS' DIVISIONS OF THE OAKDALE IRRIGATION DISTRICT**

WHEREAS, Oakdale Irrigation District provides irrigation and drainage services within its existing boundaries; and

WHEREAS, the District contains five Directors' divisions as required by Water Code §21550; and

WHEREAS, each Director is elected by the division the Director represents as required by Water Code §21551; and

WHEREAS, the Board of Directors is required by Water Code §21605 to adjust the boundaries of the divisions pursuant to the Elections Code §22000; and

WHEREAS, The Board of Directors is required by §22000 of the Elections Code to adjust division boundaries by resolution after the federal decennial census; and

WHEREAS, the Board of Directors is to use the 2010 census as a basis and adjust the boundaries of any division so that the divisions are, as far as practicable, equal in population and in compliance with §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, the Board of Directors in adjusting the boundaries of the divisions, may give consideration to the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) community of interests of the District; and

WHEREAS, the Board of Directors were presented with two map options at their regular meeting of April 4, 2017 and were advised that both maps complied with Elections Code §22000(a) and all other applicable laws; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Oakdale Irrigation District as follows:

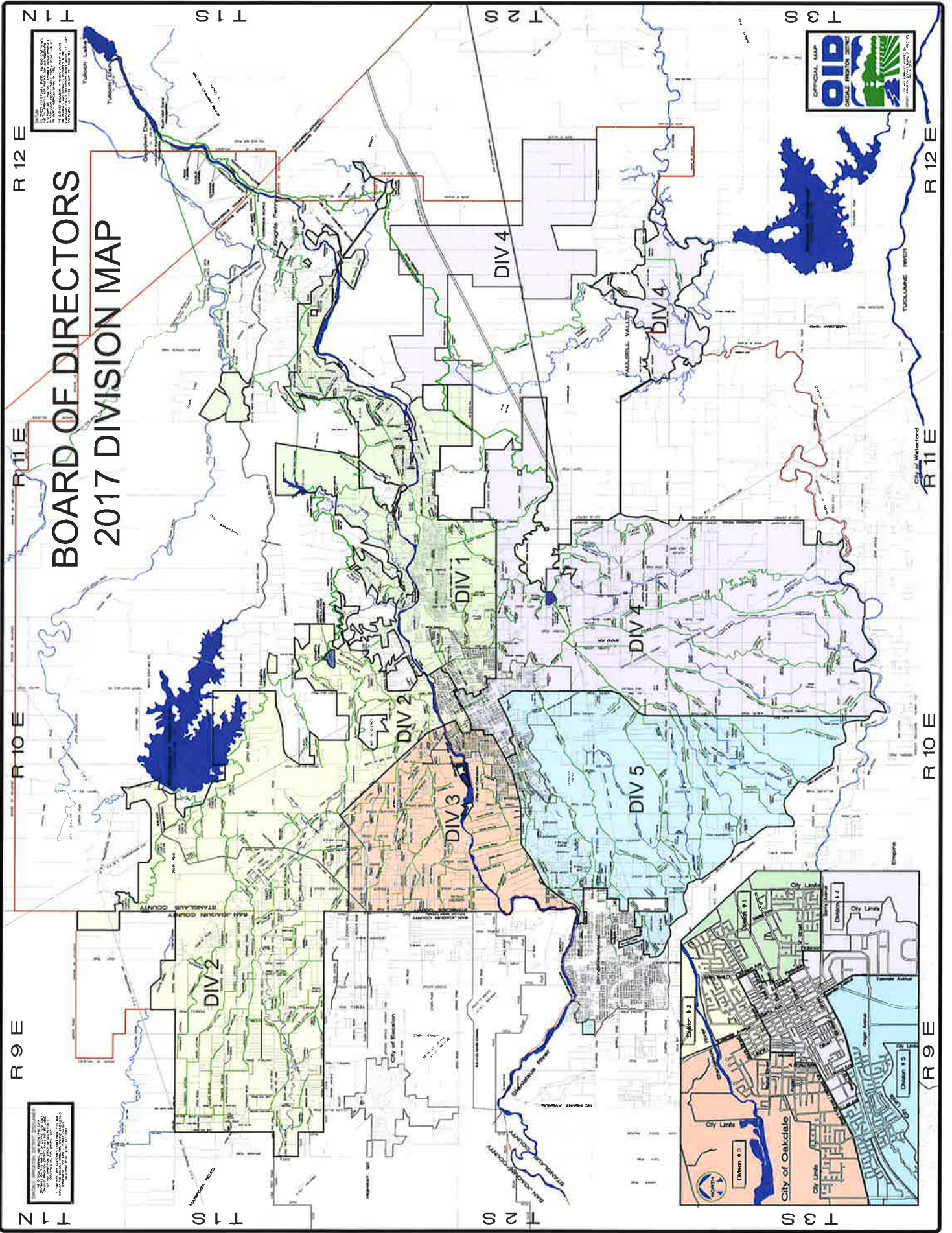
- A. Of the two map alternatives presented to the Board of Directors on April 4, 2017, the Board of Directors hereby designates the map entitled Option 1 (copy attached as Exhibit "A") as the new Directors' division boundaries for Oakdale Irrigation District, until such time as the Board of Directors adopts a resolution designating different Directors' division boundaries.

Upon Motion of Director, seconded by Director, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this 18th day of April, 2017.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

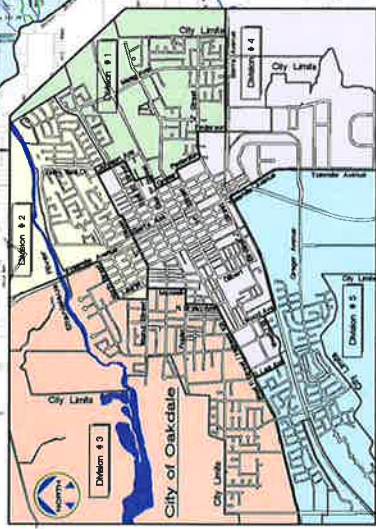
Steve Knell, P.E.
Secretary



Legend

- Division 1 (Green)
- Division 2 (Orange)
- Division 3 (Purple)
- Division 4 (Blue)
- Division 5 (Light Green)

BOARD OF DIRECTORS 2017 DIVISION MAP



BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 7
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO APPROVE RESOLUTION IN SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' POLICY STATEMENT ON BAY-DELTA FLOW REQUIREMENTS

RECOMMENDED ACTION: Board Discretion

BACKGROUND AND/OR HISTORY:

The District was contacted by Timothy Quinn, Executive Director of the Association of California Water Agencies to support ACWA's Board of Directors' policy statement urging the State Water Resources Control Board to set aside the "unimpaired flow" approach to setting new water quality objectives in the Bay-Delta watershed. ACWA believes the state's policy on flows should embrace a collaborative, comprehensive approach that protects and promotes both water supply reliability and ecosystem health.

The State Water Board staff's proposal to base new water quality objectives on a "percentage of unimpaired flow" could lead to widespread fallowing of agricultural land and negatively affect water reliability for much of the state's population. The singular focus on unimpaired flow is incompatible with the state's policy of coequal goals and other broader policy commitments in the Brown Administration's California Water Action Plan.

The ACWA Policy Statement on Bay-Delta Flow Requirements is attached for the Board's Review. Staff recommends that the Board approve adoption of the Resolution in Support of the Association of California Water Agencies' Policy Statement on Bay-Delta Flow Requirements.

FISCAL IMPACT: None

ATTACHMENTS:

- ACWA Policy Statement
 - Resolution 2017-NIL
-

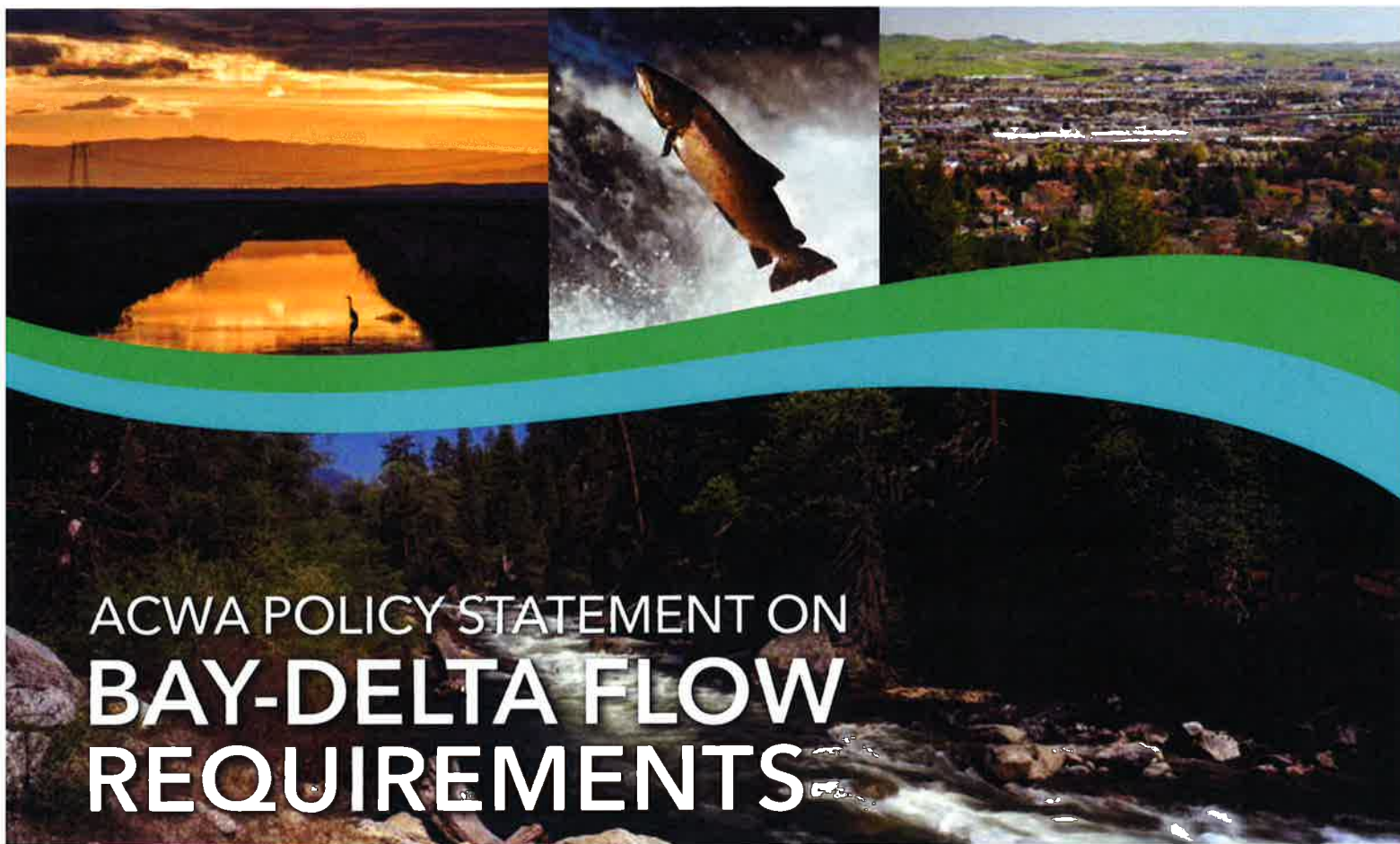
Board Motion:

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

VOTE

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

Action(s) to be taken:



ACWA POLICY STATEMENT ON BAY-DELTA FLOW REQUIREMENTS

COLLABORATIVE APPROACH IS KEY TO CALIFORNIA'S FUTURE

California is facing a defining moment in water policy. A staff proposal under consideration by the State Water Resources Control Board presents a decision point about the future we want for California and its communities, farms, businesses and ecosystems. The State Water Board's staff proposal to base new water quality objectives on a "percentage of unimpaired flow" would have impacts that ripple far beyond water for fish.

The proposal could lead to widespread fallowing of agricultural land, undercut the state's groundwater sustainability goals, cripple implementation of the Brown Administration's California Water Action Plan, negatively affect water reliability for much of the state's population and impact access to surface water for some disadvantaged communities that do not have safe drinking water. These effects are not in the public's interest.

Local water managers overwhelmingly believe the proposal's singular focus on "unimpaired flow" is the wrong choice for the state's future. California's urban and agricultural water managers are united in their vision for a future that includes a healthy economy as well as healthy ecosystems and fish populations. That vision is best achieved through comprehensive, collaborative approaches that include "functional" flows as well as non-flow solutions that contribute real benefits to ecosystem recovery.

On behalf of its more than 430 member public agencies serving urban and agricultural customers throughout the state, the Association of California Water Agencies (ACWA) adopts the following policy statement regarding the State Water Board's proposed approach to updating the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta.

LOCAL SUCCESS STORIES

Collaborative efforts have been successful on many rivers in the Bay-Delta watershed.

Lower Yuba River: A voluntary, collaborative settlement among Yuba County Water Agency, California Department of Fish and Wildlife, National Marine Fisheries Service, PG&E and conservation groups resolved 20 years of controversy and resulted in a continuing program to improve 24 miles of salmon and steelhead habitat while protecting water rights and the needs of local communities. State Water Board members have specifically recognized the value of the agreement, which was formally implemented in 2008.

Lower American River: A broad representation of water suppliers, environmental groups, local governments and others negotiated an historic agreement that led to a flow management standard that was successfully incorporated into a 2009 biological opinion issued by the National Marine Fisheries Service.

Feather River: Six years of negotiations among water users, fisheries agencies and environmental groups yielded a comprehensive agreement that includes a habitat improvement program with specific flow and temperature requirements to accommodate spawning salmon and steelhead. The State Water Board adopted the agreement, with some modification, in 2010 as a water quality certification under the federal Clean Water Act.

CHOOSING OUR VISION FOR CALIFORNIA'S WATER FUTURE

Since 2009, state law has required water resources to be managed in a way that achieves the coequal goals of improving water supply reliability for California and protecting, restoring and enhancing the Delta ecosystem. ACWA and its public water agency members believe that policy requires a commitment from state agencies and stakeholders to advance both water supply and environmental goals together. ACWA and its members further believe that effective implementation of the coequal goals requires transparent, collaborative processes and comprehensive solutions.

In 2014, the Brown Administration released its California Water Action Plan outlining priority actions addressing water-use efficiency, groundwater sustainability, ecological restoration, Delta conveyance solutions, water storage, safe drinking water and more. Embedded in the plan is the Brown Administration's commitment that planned actions "will move California toward more sustainable water management *by providing a more reliable water supply for our farms and communities*, restoring important wildlife habitat and species, and helping the state's water systems and environment become more resilient."

ACWA believes the policy of coequal goals and the commitment embedded in the California Water Action Plan have the potential to put California on a path that includes a vibrant agricultural and urban economy and a healthy ecosystem.

ACWA and its members believe the unimpaired flow approach proposed by State Water Board staff undercuts and threatens that potential and cannot lead us to the future we want for California. Simply put, any strategy that would result in vast amounts of agricultural land going out of production and ultimately reduce water supply reliability for the majority of Californians is irreconcilable with a policy of coequal goals and blatantly inconsistent with the water policy objectives of the Brown Administration.

ACWA strongly supports the collaborative approach called for by Governor Jerry Brown to move these important decisions out of adversarial processes and into negotiated, comprehensive agreements. The following principles can assure success in that endeavor.

A BETTER PATH TO THE FUTURE

The State Water Board is responsible for updating the Bay-Delta Plan in a manner that establishes water quality objectives that ensure the reasonable protection of all beneficial uses of water (including domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources) while considering past, present and probable future beneficial uses, environmental characteristics, water quality conditions and economic considerations, among other things. (See California Water Code Section 13241.) It also has a responsibility to update the plan in a way that is consistent with the coequal goals and respects and implements the commitments made in the California Water Action Plan.

ACWA and its members urge the State Water Board to set aside the unimpaired flow approach and heed Governor Brown's call for negotiated agreements. ACWA believes that a successful flows policy must be consistent with the following principles:

- **Collaboration:** The governor has called for work on a comprehensive agreement on environmental flows in both the San Joaquin and Sacramento River basins. He has asked that State Water Board members and staff prioritize analysis and implementation of voluntary agreements. Further, the Brown Administration committed in the California Water Action Plan that the State Water Board and the California Natural Resources Agency will work with stakeholders to encourage negotiated implementation of protective Delta standards. ACWA strongly supports the collaborative approach called for by the governor because it is the least contentious, most effective way to achieve the coequal goals. Negotiated agreements have been demonstrably successful at achieving outcomes and widespread support for appropriate environmental flows; forced

regulations have not yielded the same track record. The State Water Board should wholly embrace this approach and allow enough time for it to work.

- **Comprehensive Solutions:** A successful collaborative approach will require comprehensive solutions for both water supply and ecosystem management. Water users will need to continue and build on their commitment to integrated resources management in order to maintain reliability without undue impacts on the ecosystem. Similarly, ecosystem managers will need to focus on the entire life cycle of affected species and multiple variables, such as predation, food, and habitat availability to develop integrated management portfolios that accomplish ecosystem goals without undue impacts on water supply. Utilizing the single variable proposed in the "percentage of unimpaired flow" approach will not achieve the desired ecological outcomes and is, by far, the most destructive policy approach from the perspective of protecting and improving water supply. ACWA firmly believes the ecological outcomes can be achieved with even better results through a comprehensive approach that considers multiple solutions and benefits.
- **Science:** The State Water Board needs to incorporate the best available science to inform its work and assist with the development of voluntary settlement agreements. The unimpaired flow approach, in which flow objectives are not tied to any specific ecological outcome, fails to incorporate the best available science. As noted above, the updated plan needs to focus on the entire life cycle of affected species and multiple variables, such as predation, food, and habitat availability, and incorporate relevant current scientific information. Science alone cannot identify the best policy choice, but it can inform us about the policy tradeoffs we confront and help structure integrated solutions that provide ecosystem benefits with far less impact on water supply, the California economy and the public interest.



FUNCTIONAL FLOWS: A BETTER APPROACH

Sacramento Valley: Sacramento Valley water users and conservation partners are working together to advance a new generation of innovative projects to promote salmon recovery.

Over the past two and a half years, 12 projects have been completed through the Sacramento Valley Salmon Recovery Program to address fish passage, improve the timing of flows and increase habitat for salmon and other species. Priority projects have included removal of structural barriers to fish passage, modifying riffles, eliminating predator habitat, restoring floodplains and creating side channel spawning and rearing areas.

In addition, program partners are exploring creative ways to reconnect water with the land in floodplains and agricultural areas to enhance habitat and food production and create rearing habitat in rice fields.

While each of these collaborative projects provides independent value, implementation of the entire comprehensive suite is generating unique benefits that can significantly improve ecological outcomes for salmon in the Sacramento Valley.

Merced River: Merced Irrigation District has spent millions of dollars and decades undertaking intense and in-depth scientific research on the Merced River. This research has included analysis of flows, temperatures, biological resources and habitat. MID is poised to put this research into action through its Merced S.A.F.E. Plan (Salmon, Agriculture, Flows, and Environment) to provide certainty for both the environment and local water supply in Eastern Merced County.

The plan would provide increased flows using science to dictate the amounts and timing, restore critical sections of habitat for spawning and rearing juvenile salmon, protect local drinking water quality, upgrade an existing salmon hatchery with state-of-the-art facilities and reduce predation.

Based on in-depth science and technologically advanced computer modeling, MID seeks to take immediate action and dramatically benefit salmon on the Merced River.

- **Functional Flows:** Science shows that functional flows have very promising benefits for fish as well agricultural and urban water users. Timed and tailored for specific purposes, functional flows can benefit species in ways that unimpaired flow requirements cannot. Examples abound of collaborative, innovative projects currently underway by local water agencies and stakeholders that include functional flows and non-flow solutions that reconnect land and water to restore habitat and address the full life cycle of species needs. These efforts contribute real benefits to ecosystem recovery while maintaining water supply reliability.
- **Economic Considerations:** The State Water Board has a statutory obligation to consider economic impacts when establishing water quality objectives that reasonably protect all beneficial uses of water. Having a robust economic analysis is critical. The board also has a policy obligation under the coequal goals to ensure its actions related to a revised Bay-Delta Plan increase water supply reliability and thereby allow for a healthy, growing agricultural and urban economy in California.
- **Consistency with State Policy:** ACWA urges the State Water Board to heed the governor's direction and recognize that achieving the coequal goals will lead to a more reliable water supply and healthy ecosystem. Pursuing the coequal goals should be a guiding principle for the board's decisions related to adopting a revised Bay-Delta Plan. The State Water Board also should ensure that its decisions on the Bay-Delta Plan enable, rather than obstruct, the implementation of the California Water Action Plan.
- **Leadership:** The best policy choice will come through the give and take of the negotiating process and the enlightened leadership of the State Water Board members. Ultimately, the board must establish water quality objectives that ensure the reasonable protection of all beneficial uses of water as it implements negotiated solutions. The State Water Board should actively engage in this work and lead in a manner that is grounded in an awareness of how its actions can affect the implementation of the California Water Action Plan and the achievement of the coequal goals.

ACWA and its members have taken a strong policy position in support of comprehensive solutions such as those outlined in the California Water Action Plan. We stand ready to work with the Brown Administration to pursue the collaborative and comprehensive approaches needed to ensure a future for California that includes a vibrant agricultural and urban economy and a healthy ecosystem.

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2017-NIL**

**RESOLUTION IN SUPPORT OF THE
ASSOCIATION OF CALIFORNIA WATER AGENCIES'
POLICY STATEMENT ON BAY-DELTA FLOW REQUIREMENTS**

WHEREAS, California is facing a defining moment in water policy that will be substantially impacted by the State Water Resources Control Board's approach to water quality objectives under the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta; and

WHEREAS, the State Water Board has the responsibility for updating the Bay-Delta Plan in a manner that establishes water quality objectives that ensure the reasonable protection of all beneficial uses of water in a way that is consistent with the coequal goals of improving water supply reliability and protecting, restoring and enhancing the Delta ecosystem and with respect to the commitments made in the California Water Action Plan; and

WHEREAS, the State Water Board staff's current proposal, which focuses singularly on an "unimpaired flow" approach, is irreconcilable with a policy of coequal goals of improving both water supply reliability and ecosystem health; it is also inconsistent with the broader water policy objectives of the Brown Administration; and

WHEREAS, the ACWA Board of Directors has unanimously adopted a strong policy statement calling for a better approach that can more effectively achieve ecological objectives while maintaining water supply reliability. The statement calls on the State Water Board to set aside its "unimpaired flow" approach and heed Governor Jerry Brown's call for negotiated agreements, which have been successful on many rivers and tributaries in California; and

WHEREAS, the ACWA statement notes that to be successful, the state's flow policy must be consistent with the principles of collaboration, comprehensive solutions, science, functional flows, economic considerations, consistency with state policy, and leadership; and

WHEREAS, California's local urban and agricultural water managers are united in their vision for a future that includes a vibrant California economy as well as healthy ecosystems and fish populations, and believe that vision is best achieved through a comprehensive, collaborative approach; and

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Oakdale Irrigation District hereby support ACWA's Policy Statement on Bay-Delta Flows and encourages

the State Water Resources Control Board to embrace the approach articulated in ACWA's policy statement.

Upon Motion of Director, seconded by Director, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this 18th day of April, 2017.

OAKDALE IRRIGATION DISTRICT

Steve Webb
President

Steve Knell, P.E.
Secretary

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 8
APN: N/A

SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO AUTHORIZE THE GENERAL MANAGER TO EXECUTE A LETTER OF SUPPORT FOR THE CITY OF MODESTO'S REMEDIAL INVESTIGATION / FEASIBILITY STUDIES FOR NITRATE, ARSENIC AND URANIUM PROJECT PROPOSITION 1 GROUNDWATER GRANT PROGRAM

RECOMMENDED ACTION: Authorize General Manager to Execute Support Letter and Forward to the City of Modesto

BACKGROUND AND/OR HISTORY:

The City of Modesto is in the process of preparing and submitting complete applications to request funding under the Proposition 1 Groundwater Grant Program.

The project will conduct three separate Remedial Investigations and Feasibility Studies (RI/FS) to address the prevention and cleanup of contaminated groundwater that serves or has served as a source of drinking water. The RI/FS will evaluate alternatives available for remediation of the widespread nitrate, arsenic, and uranium in the City's groundwater supply. Each of these constituents has a primary maximum contaminant level (MCL) that is exceeded in wells throughout the City of Modesto.

Attached is a draft letter to be forwarded to the City of Modesto supporting the City's request for funding under the Proposition 1 Groundwater Grant Program. If the Board approves the attached letter, the General Manager will execute and forward to the City of Modesto in support of the City's project.

FISCAL IMPACT: None

ATTACHMENTS:

- Draft Letter to City of Modesto
-

Board Motion:

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

VOTE

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

Action(s) to be taken:

April 7, 2016

Tamorah Bryant
Associate Civil Engineer
City of Modesto
1010 Tenth Street, Suite 4600
Modesto, CA 95353

RE: Support for City of Modesto's Remedial Investigation/Feasibility Studies for Nitrate, Arsenic, and Uranium

Dear Ms. Bryant:

The Oakdale Irrigation District (OID) was notified that the City of Modesto (City) has been invited to submit three applications for funding assistance under the Proposition 1 Groundwater Sustainability Grant Program. The City is in the process of preparing and submitting complete applications to request funding to conduct three separate Remedial Investigations and Feasibility Studies (RI/FS) to address the prevention and cleanup of contaminated groundwater that serves or has served as a source of drinking water. The RI/FS will evaluate alternatives available for remediation of the widespread nitrate, arsenic, and uranium in the City's groundwater supply. Each of these constituents has a primary maximum contaminant level (MCL) that is exceeded in wells throughout the City. As such, OID supports the City's efforts to evaluate remediation alternatives. At the City's request, OID would be happy to also assist the City in its review of the technical evaluation and results from the RI/FS that will be included in the scope of the project. OID looks forward to working with the City on the successful completion of this project.

Should you require any additional information, please don't hesitate to contact me at (209) 840-5525.

Sincerely,

OAKDALE IRRIGATION DISTRICT

Eric Thorburn, P.E.
Water Operations Manager

BOARD AGENDA REPORT

Date: April 18, 2017
Item Number: 9
APN: N/A

**SUBJECT: REVIEW AND TAKE POSSIBLE ACTION TO APPROVE A RESOLUTION
ADOPTING RULES RELATED TO UNCLAIMED CHECK POLICY**

RECOMMENDED ACTION: Approve

BACKGROUND AND/OR HISTORY:

The District has not experienced a problem with staled-dated checks in the past; however, as a result of refunding the 2015 Drought Surcharge, the District has experienced staled-dated checks that remain on its books. Thus there has become a need to have a policy in place to handle these checks.

In November 2015, the District refunded its Ag water customers the 2015 Drought Surcharge. There were 2,442 checks processed. Of the 2,442 checks processed 157 were not cashed and are now staled-dated. For those staled-dated checks that were for current customers, staff applied a credit to the customer's Ag water account. For those staled-dated checks that are for parties that are no longer current customers, the District will follow the procedures as outlined in the attached draft policy, if adopted.

Staff is requesting that the Board approve the Resolution Adopting the Rules Related to Unclaimed Check Policy.

FISCAL IMPACT: None

ATTACHMENTS:

- Resolution 2017-NIL
 - Draft Rules Related to Unclaimed Check Policy
 - *Government Code §§50050 - 50057*
-

Board Motion:

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

VOTE

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

Action(s) to be taken:

**OAKDALE IRRIGATION DISTRICT
RESOLUTION NO. 2017-NIL**

**RESOLUTION ADOPTING
RULES RELATED TO
UNCLAIMED CHECK POLICY**

WHEREAS, the Board of Directors of the Oakdale Irrigation District ("District") desire to adopt an Unclaimed Check Policy to comply with the Government Code Sections 50050 through 50057.

NOW, THEREFORE BE IT RESOLVED, that the Oakdale Irrigation District Board of Directors hereby adopts the Rules Related to Unclaimed Check Policy. This resolution will remain in effect until revocation by the Board of Directors of the Oakdale Irrigation District.

Upon Motion of Director _____, seconded by Director _____, and duly submitted to the Board for its consideration, the above-titled Resolution was adopted this 18th day of April, 2017.

OAKDALE IRRIGATION DISTRICT

Steve Webb,
President

Steve Knell, P.E.
Secretary

OAKDALE IRRIGATION DISTRICT MANUAL OF OPERATIONS

Subject: **RULES RELATED TO UNCLAIMED CHECK
POLICY**

Policy and Procedure No.:

Responsible Department: **FINANCE DEPARTMENT**

PURPOSE

The purpose of the unclaimed check policy is to provide the proper mechanism to take possession of long standing unclaimed checks in accordance with government statues and to ensure the propriety of the related accounting transactions.

SCOPE

The Unclaimed check policy applies to all staled-dated checks where the apparent owner has not asserted a claim or performed a transaction for the defined dormancy period.

POLICY AND PROCEDURE

Guidelines for unclaimed staled-dated checks issued by the District are as follows:

1. Checks that have not been cashed within 150-days after the date of its issuance are considered stale-dated.
2. The month after the 150-day period, the Finance Department will send a notice to the payee that the check is stale-dated and that the payee will need to complete the District's Unclaimed Check-Claim Form (attached).
3. Unclaimed checks will be tracked and itemized in the bank reconciliation.
4. After the expiration of the three-year period of the date of the payee notice, the treasurer of the District may cause a notice to be published once a week for two consecutive weeks in the District's local newspaper. The publication will state the amount of money, the fund in which it is held, and that it is proposed that the money will become the property of the District on a designated date not less than 45-day nor more than 60-days after the first publication of the notice.

5. Upon or prior to publication, a party of interest may file a claim with the treasurer which must include the claimant's name, address, amount of claim, the grounds on which the claim is founded, and any other information that may be required by the treasurer. The claim shall be filed before the date the unclaimed money becomes the property of the District. The treasurer shall accept or reject that claim. If the claim is rejected, the party who submitted the claim may file a verified complaint seeking to recover all, or a designated part, of the money in a court. A copy of the complaint and summons shall be served within 30 days of receiving notice that the claim was rejected.
6. Any such money unclaimed, in the custody of the District, for three years after the notice is the property of the District.
7. Notwithstanding the above, any individual item(s) less than \$15, or any amount if the depositor's name is unknown, which remain unclaimed for one year will be considered the property of the District without the necessity of publication of a notice in a newspaper.



UNCLAIMED CHECK

CLAIM FORM

According to the information provided to me by the Oakdale Irrigation District, the following check remains outstanding:

Name: _____

Check No.: _____

Check Date: _____

Amount: _____

Please issue a replacement check on the following grounds:

- This check has not been presented for payment by me and will not be presented at any time in the future.
- I have made a diligent search for the check and have been unable to find or recover the same.
- If I find this check, I will return the check immediately to the Oakdale Irrigation District.

Signature

Print Name

Date

Address

City, State. Zip Code

Telephone Number



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GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57550] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 1. CITIES AND COUNTIES [50001 - 52203] (Division 1 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 1. General [50001 - 50290] (Chapter 1 added by Stats. 1949, Ch. 81.)

ARTICLE 3. Financial Affairs [50050 - 50057] (Article 3 added by Stats. 1949, Ch. 81.)

50050. For purposes of this article, "local agency" includes all districts. Except as otherwise provided by law, money, excluding restitution to victims, that is not the property of a local agency that remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice if not claimed or if no verified complaint is filed and served. At any time after the expiration of the three-year period, the treasurer of the local agency may cause a notice to be published once a week for two successive weeks in a newspaper of general circulation published in the local agency. At the expiration of the three-year period, money representing restitution collected on behalf of victims shall be deposited into the Restitution Fund or used by the local agency for purposes of victim services. If a local agency elects to use the money for purposes of victim services, the local agency shall first document that it has made a reasonable effort to locate and notify the victim to whom the restitution is owed. The local agency may utilize fees collected pursuant to subdivision (I) of Section 1203.1 or subdivision (f) of Section 2085.5 of the Penal Code to offset the reasonable cost of locating and notifying the victim to whom restitution is owed. With respect to moneys deposited with the county treasurer pursuant to Section 7663 of the Probate Code, this three-year period to claim money held by a local agency is extended for an infant or person of unsound mind until one year from the date his or her disability ceases.

For purposes of this section, "infant" and "person of unsound mind" have the same meaning as given to those terms as used in Section 1441 of the Code of Civil

Procedure.

(Amended by Stats. 2013, Ch. 457, Sec. 1. Effective January 1, 2014.)

50051. The notice shall state the amount of money, the fund in which it is held, and that it is proposed that the money will become the property of the local agency on a designated date not less than forty-five days nor more than sixty days after the first publication of the notice.

(Added by Stats. 1949, Ch. 81.)

50052. Upon or prior to publication, a party of interest may file a claim with the treasurer which must include the claimant's name, address, amount of claim, the grounds on which the claim is founded, and any other information that may be required by the treasurer. The claim shall be filed before the date the unclaimed money becomes the property of the local agency as provided under Section 50051 and the treasurer shall accept or reject that claim. If the claim is rejected by the treasurer, the party who submitted the claim may file a verified complaint seeking to recover all, or a designated part, of the money in a court of competent jurisdiction within the county in which the notice is published, and serves a copy of the complaint and the summons issued thereon upon the treasurer. The copy of the complaint and summons shall be served within 30 days of receiving notice that the claim was rejected. The treasurer shall withhold the release of the portion of unclaimed money for which a court action has been filed as provided in this section until a decision is rendered by the court.

(Amended by Stats. 1984, Ch. 866, Sec. 2.)

50052.5. (a) Notwithstanding Section 50052, the treasurer may release to the depositor of the unclaimed money, their heir, beneficiary, or duly appointed representative, unclaimed money if claimed prior to the date the money becomes the property of the local agency upon submitting proof satisfactory to the treasurer, unless the unclaimed money is deposited pursuant to Section 7663 of the Probate Code.

(b) Notwithstanding Section 50052, the treasurer may release unclaimed money deposited with the county treasurer pursuant to Section 7663 of the Probate Code, to any adult blood relative of either the decedent or the decedent's predeceased spouse.

(c) Notwithstanding Section 50052, the treasurer may release unclaimed money deposited with the county treasurer pursuant to Section 7663 of the Probate Code to the parent who has legal and physical custody of a minor who is a blood relative of either the decedent or the decedent's predeceased spouse without the need to appoint a legal guardian for the minor as follows:

(1) If the value of the unclaimed money deposited with the county treasurer is five thousand dollars (\$5,000) or less, the treasurer may release the money according to Section 3401 of the Probate Code.

(2) If the value of the unclaimed money deposited with the county treasurer is sixty thousand dollars (\$60,000) or less, and the money is not released under paragraph (1), the unclaimed money may be released by the treasurer to the parent who shall, after payment of any costs incurred in making the claim, hold the money in trust, to be used only for the care, maintenance, and education of the minor, and the parent shall be liable therefor to the minor under the fiduciary laws of this state. The money held in trust shall be released to the minor when the minor reaches the age of majority.

(d) The claim shall be presented to the county treasurer in affidavit form and signed under penalty of perjury. Notwithstanding Section 13101 of the Probate Code, the claimant, to be entitled to the entire escheated estate, needs only to establish with documentary proof the existence of a blood relationship to either the decedent or of the predeceased spouse, if any, and the documentary proof, if regular on its face, need not be certified. Notwithstanding Section 13101 of the Probate Code, the claimant shall not be required to declare that no other person has an equal or superior claim to the escheated estate.

The county treasurer may rely in good faith on the sworn statements made in the claim and shall have no duty to inquire into the truth or credibility of evidence submitted.

In paying out the escheated estate, the county treasurer shall be held harmless to all. Payment shall act as total acquittance and shall completely discharge the county treasurer from any liability.

If the county treasurer rejects any claim made hereunder, the claimant may take his or her grievance to the Superior Court of the county holding the escheated estate.

Any claim paid hereunder shall be paid without interest.

(Amended by Stats. 2000, Ch. 333, Sec. 1. Effective January 1, 2001.)

50053. When any such money becomes the property of a local agency and is in a special fund, the legislative body may transfer it to the general fund.

(Added by Stats. 1949, Ch. 81.)

50054. Whenever any city or county or city and county renders construction services or constructs public works for any city, county, city and county or any other governmental agency below the level of the state government, the price charged for such services or construction shall be sufficient to reimburse the governmental body performing such services for the full cost thereof including labor, material, equipment costs or rentals and a reasonable allowance for overhead. In computing overhead, without limitation on other factors properly includable, there shall be allocated to the overhead cost its proportionate share of indirect labor and administrative costs.

(Added by Stats. 1971, Ch. 558.)

50055. Any other provision of this article notwithstanding, any individual items of less than fifteen dollars (\$15), or any amount if the depositor's name is unknown, which remain unclaimed in the treasury or in the official custody of an officer of a local agency for the period of one year or upon an order of the court may be transferred to the general fund by the legislative body without the necessity of publication of a notice in a newspaper.

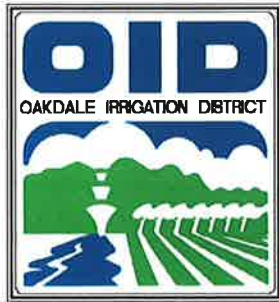
(Amended by Stats. 1996, Ch. 89, Sec. 1. Effective July 1, 1996.)

50056. The responsibilities of the treasurer as provided under this article may be delegated by the treasurer to the agency, district, or department that maintains the supporting records of the unclaimed money based on the initial receipt or deposit of that money or both.

(Added by Stats. 1984, Ch. 866, Sec. 4.)

50057. For individual items in the amount of five thousand dollars (\$5,000) or less, the legislative body of any county may, by resolution, authorize the county treasurer to perform on its behalf any act required or authorized to be performed by it under Sections 50050, 50053, and 50055. The resolution shall require that the county auditor be informed of each act performed under the authorization.

(Amended by Stats. 2011, Ch. 382, Sec. 2. Effective January 1, 2012.)



DISCUSSION ITEMS

SPECIAL BOARD MEETING OF APRIL 18, 2017

DISCUSSION ITEM

Date:	April 18, 2017
Item Number:	10
APN:	N/A

SUBJECT: DISCUSSION ON BUSINESS ITEMS AS THEY APPEAR ON THE TRI-DAM BOARD AGENDA FOR THURSDAY, APRIL 20, 2017

BACKGROUND AND DISCUSSION:

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

ATTACHMENTS:

- Tri-Dam Project and Authority Agendas (if available)

Board Comments:



COMMUNICATIONS

**SPECIAL BOARD MEETING OF
APRIL 18, 2017**



WATER COUNSEL'S MEMORANDUM

SPECIAL BOARD MEETING OF APRIL 18, 2017

Steve Knell

From: Tim O'Laughlin <towater@olaughlinparis.com>
Sent: Thursday, April 13, 2017 10:59 AM
To: Steve Knell
Subject: Out of District Water Sales 2017

Our office was asked to look at Out of District Water Sales for 2017 in the aftermath of Judge Beauchesne's ruling in OGA v. OID. The following is our review, analysis and recommendations.

Facts

In 2016, the OID made Out of District water available. The decision to make Out of District water available in 2016 was based on the District's Initial Study/Negative Declaration and Staff's analysis of water availability and demand in the District. The District determined that "surplus water" as defined by Water Code, § 383, subdivisions [a]-[c] was available in 2016. The determination of surplus water is not a CEQA based decision. It is a decision based on the discretion of the Board after determining the water available to meet the water demands of the District for 2016. The District's discretionary act, requiring CEQA, was whether to sell the surplus water to landowners outside OID. This discretionary act by the Board of Director's required CEQA. (Pub. Resources Code, § 21080[a].) The Board of Director's adopted the Negative Declaration and approved the project for 2016.

Landowners outside the District then applied to the District for surplus water. The application form specifically states:

Note 2: The receipt of Out of District water is on an annual basis only and is not a guarantee of water in subsequent years.

The Agreement for 2016 states in Section 4:

The District is under no obligation in the future to enter into subsequent agreements for the irrigation of lands outside the District's boundaries.

The Negative Declaration and Notice of Determination both describe the project for 2015. (This seems to be a typo as the Initial Study/Negative Declaration was commenced in 2015, but was for water use in 2016).

The Board of Director's on March 3, 2017 determined surplus water was available in 2017. The Board of Director's subsequently approved the sale of surplus water to lands outside the District. The Board of Director's also changed the volumetric rate for this water. It should be noted that any lands outside the District, but within the sphere of influence would be eligible for surplus water. "Surplus Water," as approved by the Board, was limited to only those entities who had applied by March 3, 2017. The District did not perform CEQA for its March 3, 2017 action to supply surplus water to lands outside the District.

CEQA

A discretionary action by the Board of Director's to commence a project triggers CEQA. (Pub. Resources Code, § 21080[a].) In this case, the Board's determination to sell surplus water to lands outside the District is a discretionary act. (Cal. Code Regs., tit. 14, § 15357.) Discretionary actions by Board of Director's are based on "the exercise of judgment or deliberation when the public agency or body decides to approve or

disapprove a particular activity.” (*Ibid.*) Clearly, whether to sell or not to sell surplus water fits within the description is a discretionary act.

CEQA needed to be done for the Board to take the discretionary act to sell or not to sell surplus water to landowners outside the District in 2017. Since CEQA was not undertaken by the Board of Director’s for 2017, the District is subject to potential litigation.

The Board of Directors’ can do three things at this point:

1. Do Nothing.
2. Rescind the Board’s decision to provide surplus water for sale in 2017, and do an Initial Study/Negative Declaration, mitigated Negative Declaration.
3. Rescind the Board’s decision to provide surplus water for sale in 2017, and do an EIR.

These three actions have vastly different timelines, budgets and litigation exposure. We will be specifically addressing these actions in the light of the recent OGA v. OID decision.

Do Nothing

The OID is not required to do CEQA. The District may decide to proceed forward with a project without doing CEQA. If the District proceeds forward with a project without doing CEQA then the District bears the risk of the project being stopped after it has commenced. (Code Civ. Proc., § 1094.5[g]). Parties are given up to 180 days to file suit against a project that has not done CEQA. (Pub. Resources Code § 21167[d]).

OID may continue to proceed forward with 2017 out of District water sales realizing OGA or others may sue because CEQA was not done. If sued, the District would likely have to stop water sales because if the court finds it is a discretionary act requiring CEQA, it will issue a Preliminary Injunction.

Negative Declaration / Mitigated Negative Declaration

The District could rescind the March 3, 2017 action to supply water to out of District lands and commence CEQA. It would take a minimum of 90 days to have a completed Initial Study/Negative Declaration back to the Board for consideration.

EIR

The decision in the OGA matter points out at page 6, lines 19-25 the correct standard for requiring an EIR, as opposed to a Negative Declaration. The standard is:

“Preparation of an EIR in lieu of a Negative Declaration is required if there is substantial evidence in the “whole record” of proceedings that supports a “fair argument” that a project “may” have a significant effect on the environment.” (page 6, lines 21-23).

The court did not agree with OID’s position there had to be “substantial evidence.” Rather, the court found there only had to be a “fair argument.” The court then went through the testimony and concluded that OGA’s expert testimony there was a “relatively small” impact to groundwater recharge as a basis to support a “fair argument.”

In addition, the court focused on the word “may.” The decision implies that one does not need to show or prove a significant impact. All that is needed to be shown is a project “may” have a potential significant impact.

To the extent that the OGA ruling would or could be applied to out of district water sales, the court may opine that surplus water sales may only occur after the completion of an EIR. If such a requirement existed, the District could identify all lands outside the District, but within its SOI as the project area under a Programmatic EIR (PEIR). The District could identify in the PEIR a coverage period of 5-10 years for any lands receiving water within the project area. Landowner's who want to receive water then from OID could tier-off the PEIR and do a site specific CEQA document (ND, MND, etc.) for those specific lands in order to participate in the project and receive water. Participant landowners would fund the PEIR and any litigation costs that may arise. It will take a year to complete a PEIR.

One other point on the OGA ruling. The court found the project had been improperly segmented. A Negative Declaration was improper because it was "reasonably foreseeable" a five-year program would occur. See court's discussion of "anticipate" at, page 8, lines 3-14. OID has expressed a desire to sell surplus water to lands outside the District this year by the Board of Director's action on March 3, 2017 and in future years. Landowners have expressed a desire for a more long term permanent program. (see attached letter from Ms. Spaletta). Given the court's ruling in the OGA matter, the District is exposed to potential litigation even if it were to do a Negative Declaration for 2017, due to segmenting the project.

TIM O'LAUGHLIN

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JENNIFER L. SPALETTA
Attorney-at-Law
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March 16, 2017

VIA EMAIL AND U.S. MAIL: sknell@oakdaleirrigation.com

Board of Directors and
Steve Knell, General Manager
Oakdale Irrigation District
1205 East F St
Oakdale, CA 95361

Re: Out of District Service to Lands in OID Sphere of Influence

Dear Directors and Mr. Knell:

This office represents individual landowners within the Oakdale Irrigation District Sphere of Influence. We are providing this letter to suggest possible changes to the Oakdale Irrigation District Out-of-District Water Policy.

As you know, the lands located within the Oakdale Irrigation District Sphere of Influence are lands that OID has indicated, at least to LAFCO, that it may annex and serve in the future. This means that these lands are not able to easily be served by another water district. Yet, these lands are not actually part of OID today, so they do not receive irrigation water like other OID landowners. Also, these lands are located adjacent to OID's existing service area, share the same local groundwater basin as OID landowners, and often can easily take OID water from existing facilities. For these reasons, it makes sense for the OID Out of District Water Sale Policy to treat sales of water to these lands differently.

Our suggestions do not ask OID to provide a guarantee of water service to sphere of influence lands, or any preferential pricing. Rather, they seek changes that should allow OID to provide surplus water to local lands in a more efficient, consistent manner to improve overall groundwater conditions for OID landowners as well as those in the adjacent sphere of influence.

These are our suggestions:

1. **When OID has surplus water available to sell outside of OID, give priority to landowners in OID's sphere of influence to purchase this water.**
 - a. This could be accomplished by providing notice to landowners in the sphere of influence, along with a specified time frame to reserve surplus water, before offering the water for sale to others, for example.
2. **Once a landowner in the sphere of influence contracts for surplus water, allow the contracts to renew automatically.**
 - a. The contracts would still be subject to available "surplus" water declarations and would not result in a guaranteed supply of water.
 - b. To the extent that landowners and OID incur expenses (facilities, CEQA) to get the contracts in place, this would allow both parties to spread these expenses over a longer time period and provide for some certainty and reduced overall transaction costs.
3. **Establish a rate structure for sales to sphere of influence lands that recognizes the difference between surplus water available because of conservation efforts and surplus water available because of wet conditions.**
 - a. Currently the OID board is discussing the rate to set for 2017, a year with most surplus water due to very wet conditions, not prior conservation efforts. While it makes sense to charge a higher price for water generated as a result of expensive conservation efforts, there should also be a lower rate set for water that is less expensive to obtain and deliver so that there is an increased incentive for landowners to use the surplus water.
 - b. It may also be possible to agree to a method to annually adjust the water rates using a set formula, so that the rates do not need to be revisited annually. For example, an index could be computed using the average increase in overall OID budget expenses for the past 3-5 years, and the water rate could be adjusted consistent with this index.

Thank you for the opportunity to provide comments. Please feel free to call me with any questions.

Very truly yours,


JENNIFER L. SPALETTA
Attorney at law



CLOSED SESSION ITEMS

**SPECIAL BOARD MEETING OF
APRIL 18, 2017**