

AGENDA
PROPERTY MANAGEMENT COMMITTEE MEETING
WITH BOARD OF DIRECTORS *
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley CA 92708
Friday, May 22, 2020, 12:00 p.m.

*The OCWD Property Management Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act and it provides an opportunity for all Directors to hear presentations and participate in discussions. Directors receive no additional compensation or stipend as a result of simultaneously convening this meeting. Items recommended for approval at this meeting will be placed on the **June 3, 2020** Board meeting Agenda for approval.

SPECIAL NOTICE – Telephonic Accessibility for Board Members and the General Public

Due to the spread of COVID-19 the Orange County Water District will be holding its May 22 Property Management Committee Meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Participation by Committee Members will be from remote locations. Public access and participation will only be available telephonically/electronically.

Computer Audio: You can join the Zoom meeting by clicking on the following link:

<https://ocwd.zoom.us/j/92296211807>

Meeting ID: 922 9621 1807

Telephone Audio: (669) 900 9128

ROLL CALL

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

RECOMMENDATION: Adopt resolution determining need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda (requires two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, a unanimous vote of those members present.)

VISITOR PARTICIPATION

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item that is not listed on the agenda, but within the subject matter jurisdiction of the District. By law, the Board of Directors is prohibited from taking action on such public comments. As appropriate, matters raised in these public comments will be referred to District staff or placed on the agenda of an upcoming Board meeting.

At this time, members of the public may also offer public comment for up to three minutes on any item on the Consent Calendar. While members of the public may not remove an item from the Consent Calendar for separate discussion, a Director may do so at the request of a member of the public.

CONSENT CALENDAR (ITEM NO. 1)

All matters on the Consent Calendar are to be approved by one motion, without separate discussion on these items, unless a Board member or District staff request that specific items be removed from the Consent Calendar for separate consideration.

1. MINUTES OF PROPERTY MANAGEMENT COMMITTEE MEETING HELD FEBRUARY 28, 2020

RECOMMENDATION: Approve minutes as presented

MATTERS FOR CONSIDERATION

2. AMENDMENT TO DUCK HUNTING LEASE WITH ELAINE RAAHAUGE D.B.A. MIKE RAAHAUGE'S SHOOTING ENTERPRISES

RECOMMENDATION: Agendize for June 3 Board meeting: Approve and authorize execution of Amendment Eighteen to Lease with Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises to extend the lease for a duck hunting concession on District property at Prado Basin for the 2020/21 duck hunting season with a new expiration date of June 30, 2021

3. AMENDMENT TO DUCK HUNTING LEASE WITH PRADO BASIN DUCK CLUB

RECOMMENDATION: Agendize for June 3 Board meeting: Approve and authorize execution of Amendment Fifteen to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District property at Prado Basin for the 2020/21 duck hunting season with a new expiration date of June 30, 2021

INFORMATIONAL ITEMS

4. STATUS UPDATE REGARDING ANAHEIM ADVENTURE PARK, LLC (AQUAPARK) AT MIRALOMA BASIN
5. QUARTERLY REPORT ON LEASES AND PERMITS/LICENSES FOR THE PERIOD ENDING MARCH 31, 2020

CHAIR DIRECTION AS TO ITEMS TO AGENDIZE AS MATTERS FOR CONSIDERATION AT THE JUNE 3 BOARD MEETING

DIRECTORS' COMMENTS/REPORTS

GENERAL MANAGER'S COMMENTS/REPORTS

ADJOURNMENT

PROPERTY MANAGEMENT COMMITTEE

Committee Members

Steve Sheldon - Chair
Denis Bilodeau - Vice Chair
Kelly Rowe
Dina Nguyen
Jordan Brandman

Alternates

Ahmad Zahra - Alternate 1
Cathy Green - Alternate 2
Tri Ta - Alternate 3
Roger Yoh - Alternate 4
Vicente Sarmiento - Alternate 5

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted at the guard shack entrance and in the main lobby of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: www.ocwd.com

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3233, by email at jdurant@ocwd.com by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda, and can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 am to 5:00 pm, Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Orange County Water District office.

MINUTES OF THE
PROPERTY MANAGEMENT COMMITTEE MEETING
WITH BOARD OF DIRECTORS
ORANGE COUNTY WATER DISTRICT
February 28, 2020 @ 12:00 p.m.

Director Sheldon called the Property Management Committee meeting to order at 12:00 p.m. in Conference Room C-2. The District Secretary called the roll and reported a quorum as follows.

Committee

Steve Sheldon
Denis Bilodeau
Kelly Rowe
Dina Nguyen (absent)
Jordan Brandman (absent)

OCWD Staff

John Kennedy, Executive Director
Janice Durant, District Secretary
Bruce Dosier, Director IS/Property
Daniel Park, Property Manager
Chris Olsen, Director of Engineering

Alternates

Ahmad Zahra
Cathy Green
Tri Ta
Roger Yoh
Vicente Sarmiento (absent)

Others in attendance:

Pamela Galera, City of Anaheim
Jay Seidel, Fullerton Junior College

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Bilodeau, seconded by Director Rowe and carried [5-0].

Ayes: Sheldon, Bilodeau, Rowe, Zahra, Green

1. Minutes of the Meeting

The Minutes of the Property Management Committee meeting held January 24, 2020 were approved as presented.

2. California Department of Transportation (Caltrans) Property at Burriss Basin and Gentry Golf Inc. D.B.A. The Islands Center Leasehold

Recommended for approval at March 18 Board meeting: Authorize the General Manager to execute a new six-month Airspace Rental Agreement with Caltrans at a rent of \$736 per month for the 1.3-acre property, subject to approval by legal counsel.

INFORMATIONAL ITEM

3. Presentation by Professor Jay Seidel Regarding the Fullerton College Drone Program

Fullerton Junior College Professor Jay Seidel provided an overview of the Fullerton College Drone program which trains students in drone piloting and data collection. He advised that the data collection is used for various applications such as area mapping, vegetation and land studies, infrastructure inspections, and 3D land imaging. Mr. Seidel stated that the Program is seeking internship and apprenticeship opportunities with OCWD. Director Zahra suggested the program be incorporated into the OCWD Tour Program to provide aerial views of the OCWD basins and other operations. The Board noted that OCWD could potentially have numerous other uses for the drone program and requested staff to prepare a list of areas for potential collaboration.

CHAIR DIRECTION AS TO ITEMS TO AGENDIZE AS MATTERS FOR CONSIDERATION AT THE MARCH 18 BOARD MEETING

It was agreed to put Item No. 2 on the Consent Calendar for the March 18 Board meeting.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:25 p.m.

Steve Sheldon, Chair

AGENDA ITEM SUBMITTAL

Meeting Date: May 22, 2020

To: Property Management Committee
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: N/A

Budgeted Amount: N/A

Estimated Revenue: \$78,506

Funding Source: N/A

Program/ Line Item No. N/A

General Counsel Approval: Yes

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

**Subject: AMENDMENT TO DUCK HUNTING LEASE WITH ELAINE RAAHAUGE
D.B.A. MIKE RAAHAUGE'S SHOOTING ENTERPRISES**

SUMMARY

The District has a duck hunting lease with Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises (Raahauge) on 450 acres of land in the constructed wetlands behind Prado Dam. The lease expires on June 30, 2020. Elaine Raahauge has requested that the lease be extended for one year to a new expiration date of June 30, 2021.

Attachment(s):

- Amendment Eighteen to Lease with Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises

RECOMMENDATION

Agendize for June 3 Board meeting: Approve and authorize execution of Amendment Eighteen to Lease with Raahauge to extend the lease for a duck hunting concession on District property at Prado Basin for the 2020/21 duck hunting season with a new expiration date of June 30, 2021.

BACKGROUND/ANALYSIS

On November 2, 2005, the District entered into a short-term Lease with Mike Raahauge d.b.a. Mike Raahauge's Shooting Enterprises, to conduct a duck hunting concession on 450 acres of constructed wetlands. This Lease agreement includes a provision adjusting the monthly rent to \$200 in the event that duck hunting cannot take place in any particular month. In subsequent years, the Board has authorized one-year lease extensions with annual 5% rent adjustments, and also approved the lease assignment to Elaine Raahauge after the passing of owner and husband, Mike Raahauge.

With an expiration of June 30, 2020, Elaine Raahauge has requested that her lease be extended for an additional year. Staff recommends that the lease be extended for one year to a new expiration date of June 30, 2021, with a 5% rent adjustment increasing the annual rent from \$74,768 to \$78,506.

PRIOR RELEVANT BOARD ACTION(S)

7/17/19, R19-7-98, Approve Amendment Seventeen to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2019/20 duck hunting season with a new expiration date of June 30, 2020

7/18/18, R18-7-75, Approve Amendment Sixteen to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2018/19 duck hunting season with a new expiration date of June 30, 2019

6/7/17, R17-6-84, Approve Amendment Fifteen to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2017/18 duck hunting season with a new expiration date of June 30, 2018.

6/15/16, R16-6-71, Approve Amendment Fourteen to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2016/17 duck hunting season with a new expiration date of June 30, 2017.

7/1/15, R15-7-91, Approve Amendment Thirteen to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2015/16 duck hunting season with a new expiration date of June 30, 2016.

6/4/14, R14-6-78, Approve Amendment Twelve to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2014/15 duck hunting season with a new expiration date of June 30, 2015.

10/2/13, R13-10-127, Consent to Assignment of Lease to Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises and Approve Revised Amendment Eleven to Lease with Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2013/14 duck hunting season with a new expiration date of June 30, 2014.

7/10/13, R13-7-83, Approve Amendment Eleven to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2012/13 duck hunting season with a new expiration date of June 30, 2014.

6/6/12, R12-6-61, Approve Amendment Ten to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2011/12 duck hunting season with a new expiration date of June 30, 2013.

6/1/11, R11-6-82, Approve Amendment Nine to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2011/12 duck hunting season with a new expiration date of June 30, 2012.

6/2/10, R10-6-86, Approve Amendment Eight to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2010/11 duck hunting season with a new expiration date of June 30, 2011.

6/3/09, R09-6-100, Approve Amendment Seven to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2009/10 duck hunting season with a new expiration date of June 30, 2010.

9/3/08, R08-9-119, Approve and authorize execution of Amendment Six to Lease with Mike Raahauge Shooting Enterprises to add the use of dog training in Pond 1 as an approved use on a year-round basis

6/4/08, R08-6-83, Approve Amendment Five to Lease with Mike Raahauge Shooting Enterprises to extend lease for a duck hunting concession on District Property at Prado Basin for the 2008/09 duck hunting season with a new expiration date of June 30, 2009.

12/5/07, R07-12-169, Authorizing Amendment Four to Lease to restore the Premises to its full extent for the 2007/08 duck hunting season as defined in the Lease.

5/2/07, R07-05- 67, Approve and authorize Amendment Three to Lease to reduce the Annual Rent to 10% of Gross Receipts due to the unavailability of most of the duck ponds with the Annual Rent modification to terminate on June 30, 2008; the Expiration Date of the Lease was extended to June 30, 2008; and the Premises was modified accordingly for the 2007/08 duck hunting season;

10/18/06, R06-10-130, Approve and authorize Amendment Two to Lease to reduce the Annual Rent to 10% of Gross Receipts with the Annual Rent modification to terminate on June 30, 2007; reserved the right for the District to verify accounting records of Gross Receipts; revised the description of the Premises for the 2006/07 duck hunting season;

6/7/06, R06-06-70, Authorizing Amendment One to Lease to extend Lease for one year to a new Expiration Date of June 30, 2007;

11/2/05, R05-11-126, Approve and authorize execution of Lease with Mike Raahauge d.b.a. Mike Raahauge Shooting Enterprises for duck hunting on an annual basis at a rent of \$37,763 with an annual 5% rent adjustment with an expiration date of June 30 of each year and renewed by mutual consent;

5/19/04, R04-5-60, Amendment Two to Lease, increases the annual rent adjustment from 2% to 3%, to a new expiration date of February 28, 2005 at a rent of \$36,663;

5/21/03, R03-5-70, Reauthorizing Lease with Mike Raahauge Shooting Enterprises for Duck Hunting on District Property at Prado Basin, with a new expiration date of June 30, 2004 at a rent of \$35,595;

3/20/02, R02-3-50, Reauthorizing Lease with Mike Raahauge Shooting Enterprises for Duck Hunting on District Property at Prado Basin with Term of August 19, 2002 to August 18, 2003 at a rent of \$34,095;

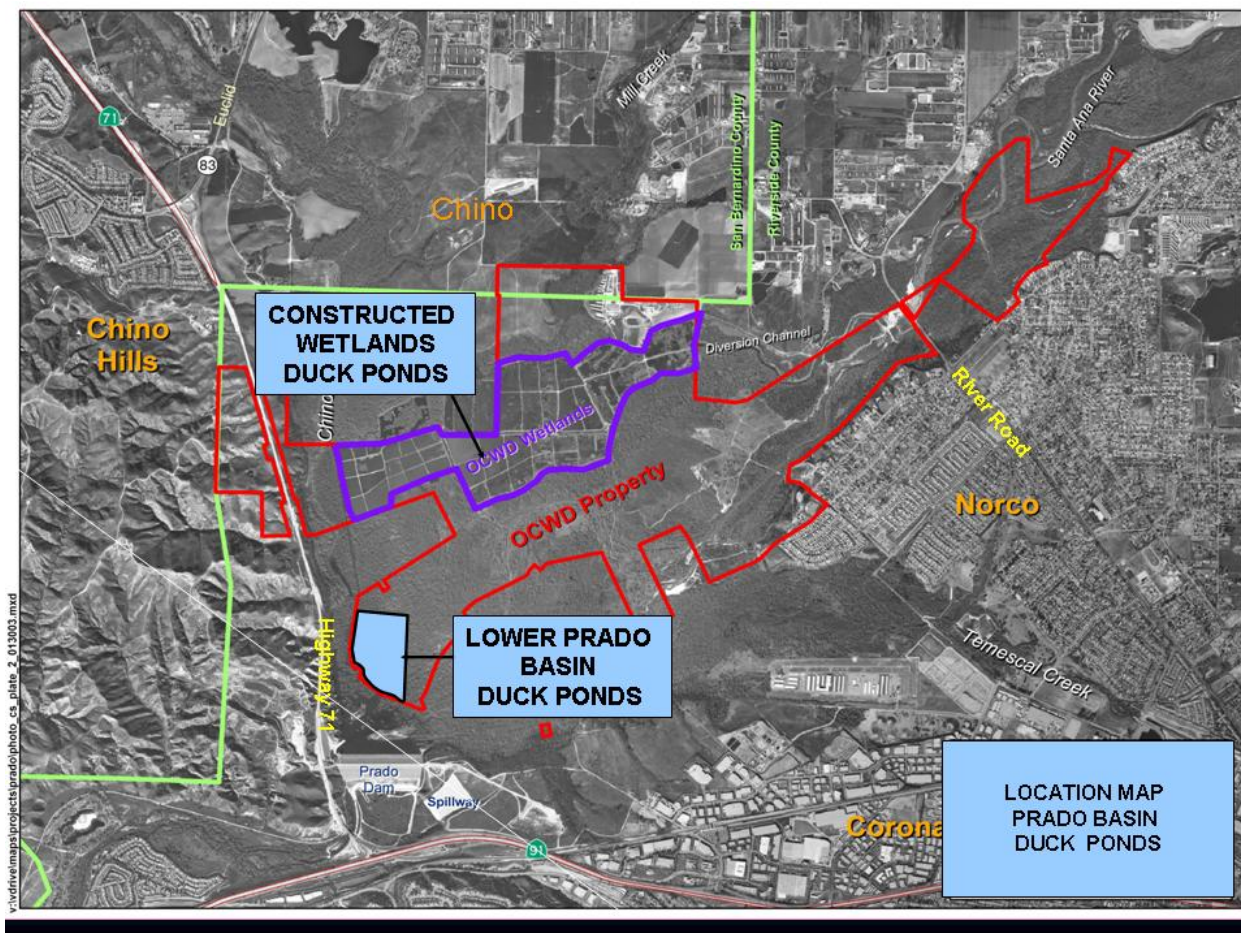
6/6/01, Motion 01-106, Reauthorizing Lease with Mike Raahauge Shooting Enterprises for Duck Hunting on District Property at Prado Basin for a Term of August 19, 2001 to August 18, 2002, at a rent of \$33,427;

5/17/00, R2000-5-66, Reauthorizing Lease with Mike Raahauge Shooting Enterprises for Duck Hunting on District Property at Prado Basin;

7/21/99, R99-7-85, Reauthorize Lease for One-Year Period Commencing August 19, 1999 with Mike Raahauge Shooting Enterprises for Duck Hunting Concession on District Property at Prado Basin;

8/19/98, R98-8-125, Approving and Authorizing Execution of Five Year Lease to Mike Raahauge Shooting Enterprises for Prado Basin Duck Hunting Concession;

Location Map



AMENDMENT EIGHTEEN TO LEASE

(Duck Hunting)

THIS AMENDMENT is made and entered into this 3rd day of June 2020 by and between the **ORANGE COUNTY WATER DISTRICT**, a political subdivision of the State of California organized under Chapter 924 of the Statutes of 1933, as amended (hereinafter, the “Lessor”) and **ELAINE RAAHAUGE, D.B.A. MIKE RAAHAUGE’S SHOOTING ENTERPRISES** (hereinafter, the “Lessee”):

RECITALS

WHEREAS, on November 2, 2005, Lessor and Lessee entered into a written Lease (“Lease”) to conduct a duck hunting concession on certain lands owned by Lessor at Prado Basin in Riverside County, California, on an annual basis at a rent of \$37,763 with an annual 5% rent adjustment with an expiration date of June 30, 2006, provided that it may be renewed annually by mutual written consent of Lessor and Lessee. The Lease provides that in the event that duck hunting cannot occur in a calendar month, the rent is adjusted to \$200 for each month in which duck hunting did not occur;

WHEREAS, on June 7, 2006 Lessor extended the term of the Lease to June 30, 2007 for the 2006/07 duck hunting season;

WHEREAS, on October 18, 2006, Lessor reduced the Annual Rent to 10% of Gross Receipts with the Annual Rent modification (“Annual Rent Reduction”) to terminate on June 30, 2007, reserved the right for the District to verify accounting records of Gross Receipts, and revised the description of the Premises (“Premises Revision”) for the 2006/07 duck hunting season;

WHEREAS, on May 2, 2007, Lessor extended the Annual Rent Reduction, and the Expiration Date of the Lease to June 30, 2008, and extended the Premises Revision for the 2007/08 duck hunting season;

WHEREAS, on December 5, 2007 Lessor restored the full Premises as defined in the Lease;

WHEREAS, on June 4, 2008, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2009;

WHEREAS, on September 3, 2008, Lessor granted Lessee an additional use of Premises of dog training in Pond 1 on a year-round basis;

WHEREAS Lessor and Lessee have subsequently amended said Lease for one-year extensions annually;

WHEREAS, on October 2, 2013, the Board Consented to Assignment of Lease and Revised Amendment Eleven to Lease Agreement for Duck Hunting to change Lessee name to Elaine Raahauge d.b.a. Mike Raahauge's Shooting Enterprises; to extend the lease for a duck hunting concession on District property at Prado Basin for the 2013/14 duck hunting season with a new expiration date of June 30, 2014; and revise Exhibit "A" to the Lease to remove Ponds E4 and E7 from the Premises;

WHEREAS, on June 4, 2014, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2015;

WHEREAS, on July 1, 2015, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2016; and

WHEREAS, on June 15, 2016, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2017, and amended Paragraph 4.2, (Conditions of Use) of the Lease, that allow Lessor's staff to review Lessee's placement and orientation of the duck hunting blinds within the Premises; and

WHEREAS, on June 7, 2017, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2018; and

WHEREAS, on July 18, 2018, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2019; and

WHEREAS, on July 17, 2019, Lessor granted Lessee an extension of Lease for one year to a new Expiration Date of June 30, 2020; and

WHEREAS, both Lessee and Lessor wish to extend the Lease for one additional year to a new Lease Expiration Date of June 30, 2021.

NOW, THEREFORE, in consideration of the matters set forth in the foregoing recitals and the terms, covenants and conditions hereinafter contained, the parties do hereby agree as follows:

1. The Expiration Date in Lease Paragraph 1.2 (Original Lease Term) is hereby extended to June 30, 2021.
2. Each and every other term, covenant and condition of the Lease, as amended, not herein expressly modified is hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed the Amendment to Lease as of the day and year first hereinabove written.

**APPROVED AS TO FORM:
RUTAN & TUCKER, LLP**

“LESSOR”

ORANGE COUNTY WATER DISTRICT
a political subdivision of the State of California
organized under Chapter 924 of the Statutes of
1933, as amended

By: _____
General Counsel for
Orange County Water District

By: _____
Vicente Sarmiento, President

By: _____
Michael R. Markus P.E., General Manager

“LESSEE”

ELAINE RAAHAUGE d.b.a.
MIKE RAAHAUGE’S SHOOTING
ENTERPRISES

By: _____
Elaine Raahauge, Owner

AGENDA ITEM SUBMITTAL

Meeting Date: May 22, 2020

To: Property Management Committee.
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: N/A

Budgeted Amount: N/A

Revenue Estimate: \$17,352

Funding Source: N/A

Program/ Line Item No. N/A

General Counsel Approval: Yes

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

**Subject: AMENDMENT TO DUCK HUNTING LEASE WITH PRADO BASIN
DUCK CLUB**

SUMMARY

The District has a lease with Prado Basin Duck Club (PBDC), for approximately 66 acres in the lower Prado Basin duck ponds. The lease expires on June 30, 2020. Kelly Astor, President of PBDC, has requested the lease be extended for one year to June 30, 2021.

Attachment(s): Amendment Fifteen to Lease with Prado Basin Duck Club

RECOMMENDATION

Agendize for June 3 Board meeting: Approve and authorize execution of Amendment Fifteen to Lease with PBDC to extend lease for a duck hunting concession on District property at Prado Basin for the 2020/21 duck hunting season with a new expiration date of June 30, 2021.

BACKGROUND/ANALYSIS

On May 21, 2003, the District entered into a lease agreement with PBDC, to conduct a duck hunting concession on 66 acres of land in the lower Prado Basin duck ponds. The lease agreement includes a 3% annual increase, with a provision approved by the Board on June 7, 2006, adjusting the monthly rent to \$200 in the event that duck hunting cannot take place in that month.

In 2017, staff met with Mr. Astor to discuss the need for vector control services on the lower ponds and the associated high costs. To offset the high costs, Mr. Astor agreed to compensate OCWD for the vector control services. As a result, on July 5, 2017, the Board approved a provision requiring PBDC pay an amount up to \$8,000 per year for vector control costs attributable to the lower ponds that are incurred by OCWD.

With an expiration of June 30, 2020, Mr. Astor has requested the lease be extended for an additional year. Staff recommends that the lease be extended for one year to a new expiration date of June 30, 2021, with a 3% rent adjustment increasing the annual rent from \$16,847 to \$17,352. As in previous years, the annual rent would be paid in two installments, on October 15th and December 1st.

PRIOR RELEVANT BOARD ACTION(S)

7/17/19, R19-7-99 , Approve Amendment Fourteen to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2019/20 duck hunting season with a new expiration date of June 30, 2020.

7/18/18, R18-7-76, Approve Amendment Thirteen to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2018/19 duck hunting season with a new expiration date of June 30, 2019.

7/5/17, R17-7-95, Approve Amendment Twelve to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2017/18 duck hunting seasons with a new expiration date of June 30, 2018, and to provide that the Lessee pay an amount up to \$8,000 per year for vector control costs.

3/15/17, M17-44, Approved an increase of \$90,000 to the Prado Wetlands General Fund budget for mosquito abatement at the Prado Wetlands

6/15/16, R16-6-72, Approve Amendment Eleven to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2016/17 duck hunting seasons with a new expiration date of June 30, 2017.

7/1/15, R15-7-92, Approve Amendment Ten to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2015/16 duck hunting seasons with a new expiration date of June 30, 2016.

6/4/14, R14-6-79, Approve Amendment Nine to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2014/15 duck hunting seasons with a new expiration date of June 30, 2015.

7/10/13, R13-7-82, Authorizing Amendment Eight to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2013/14 duck hunting seasons with a new expiration date of June 30, 2014.

6/6/12, R12-6-61, Approve Amendment Seven to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2012/13 duck hunting seasons with a new expiration date of June 30, 2013.

6/1/11, R11-6-83, Approve Amendment Five to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2011/12 duck hunting seasons with a new expiration date of June 30, 2012.

6/2/10, R10-6-87, Approve Amendment Five to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2010/11 duck hunting seasons with a new expiration date of June 30, 2011.

6/3/09, R09-6-101, Approve Amendment Four to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2009/10 duck hunting seasons with a new expiration date of June 30, 2010.

6/4/08, R08-6-84, Approve Amendment Three to Lease with Prado Basin Duck Club to extend lease for a duck hunting concession on District Property at Prado Basin for the 2008/09 duck hunting seasons with a new expiration date of June 30, 2009.

6/7/06, R06-6-71, Authorizing lease renewal with Prado Basin Duck Club with a new Expiration Date of June 30, 2008 and a rent adjustment provision to provide that in the event that duck hunting cannot occur in a calendar month, the rent is adjusted to \$200 for each month in which duck hunting did not occur.

5/19/04, R04-5-61, Two year renewal of Lease with Prado Basin Duck Club with a new Expiration Date of June 30, 2006.

5/21/03, R03-5-71, Lease granted to Prado Basin Duck Club for duck hunting in lower Prado Basin for the 2003/04 duck hunting season at a rent of \$10,500.

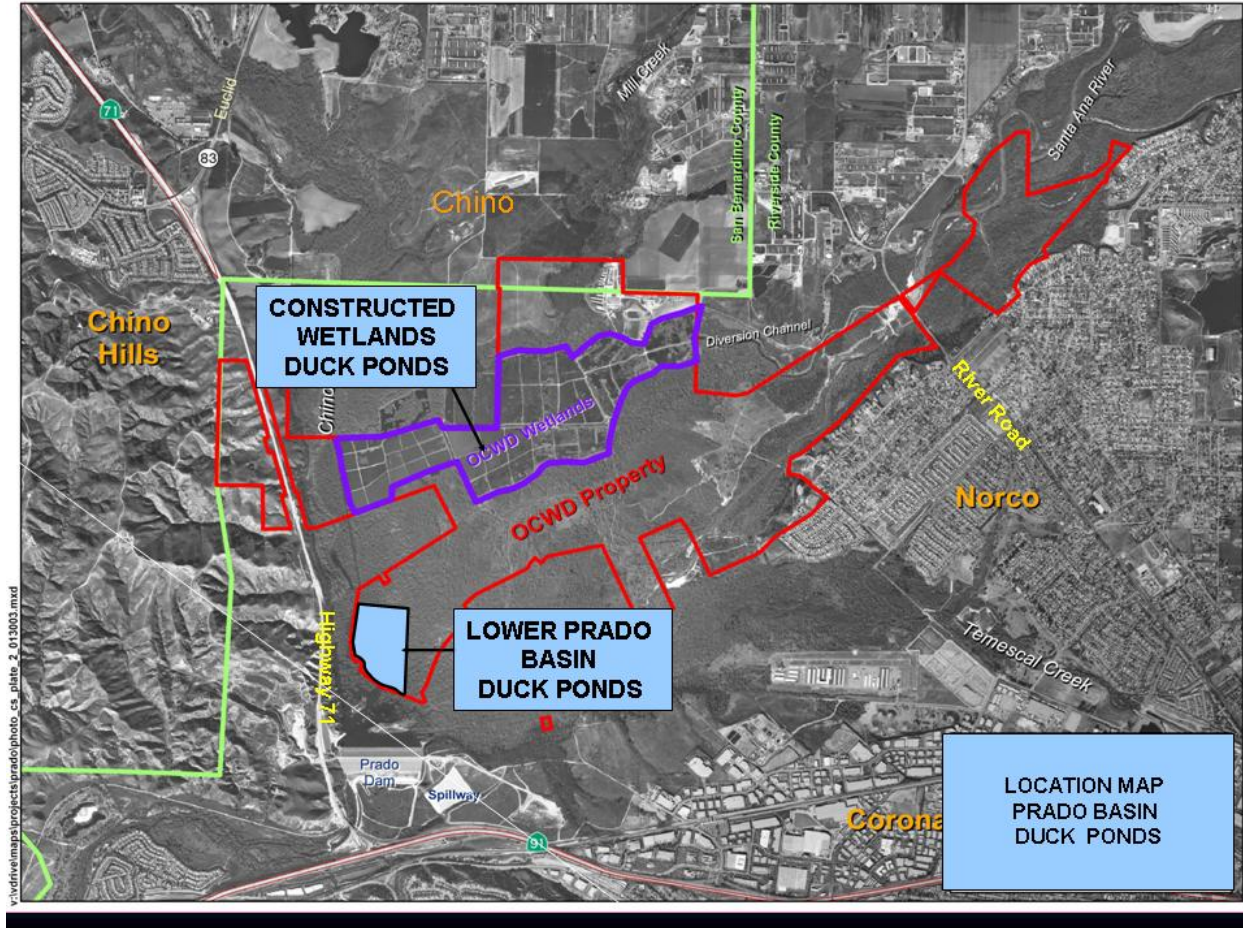
11/20/02, R02-11-169, Consent to Assignment of Interest of Duck Hunting Permit with John Kelly Astor d.b.a. Prado Basin Duck Club to Prado Basin Duck Club, a California Corporation.

10/16/02, R02-10-147, Authorize issuance of a permit to John Kelly Astor d.b.a. Prado Basin Duck Club to operate a Duck Hunting Concession in the Lower Prado Basin Duck Ponds for the one-year period of October 16, 2002 through October 15, 2003 for a fee of \$10,000 and report back to the Committee with at the end of the duck hunting season with the results of the duck hunting season.

12/19/01, R01-12-190, Authorize issuance of a Temporary Open Water Permit to John Kelly Astor for Duck Hunting in Lower Prado Basin for a fee of \$5,000 ending January 21, 2002.

11/19/01 M01-227 - Refer consideration of issuance of Duck Hunting Lease with John Kelly Astor and/or Implementation of Waterfowl Hunting Program with the State of California Department of Fish and Game in Lower Prado Basin in which unauthorized duck ponds have been constructed is hereby referred back to staff for further analysis.

Location Map



AMENDMENT FIFTEEN TO LEASE

THIS AMENDMENT is made and entered into this 3rd day of June, 2020 by and between the **ORANGE COUNTY WATER DISTRICT**, a political subdivision of the State of California organized under Chapter 924 of the Statutes of 1933, as amended (hereinafter, the "Lessor") and **PRADO BASIN DUCK CLUB**, a California corporation (hereinafter, the "Lessee").

RECITALS

WHEREAS, on May 21, 2003, Lessor and Lessee entered into a written Lease of real property (hereinafter, the "Lease") for the purpose of operating a duck hunting concession on certain lands owned by Lessor in Prado Basin on an annual rent basis of \$10,500 with an annual 3% rent adjustment with an expiration date of June 30, 2004;

WHEREAS, on May 19, 2004, Lessor granted Lessee an extension of the Lease for two years to a new Expiration Date of June 30, 2006;

WHEREAS, on June 7, 2006, Lessor granted Lessee an extension of Lease for two years to a new Expiration Date of June 30, 2008 and a rent adjustment provision to provide that in the event that duck hunting cannot occur in a calendar month, the rent is adjusted to \$200 for each month in which duck hunting did not occur;

WHEREAS, Lessor and Lessee have subsequently amended said Lease for one-year extensions annually;

WHEREAS, on June 5, 2017, Lessor granted Lessee an extension of Lease for one year to a new expiration of June 30, 2018, and to provide that the Lessee pay an amount up to \$8,000 per year for vector control costs;

WHEREAS, on July 18, 2018, Lessor granted Lessee an extension of Lease for one additional year to a new expiration of June 30, 2019;

WHEREAS, on July 17, 2019, Lessor granted Lessee an extension of Lease for one additional year to a new expiration of June 30, 2020;

WHEREAS, both Lessee and Lessor wish to extend the Lease for one additional year to a new expiration of June 30, 2021;

NOW, THEREFORE, in consideration of the matters set forth in the foregoing recitals and the terms, covenants and conditions hereinafter contained, the parties do hereby agree as follows:

1. The Expiration Date in Lease Paragraph 1.2 (Original Lease Term) is hereby

extended to June 30, 2021.

2. Each and every other term, covenant and condition of the Lease not herein expressly modified is hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Lease as of the day and year first hereinabove written.

“LESSOR”

APPROVED AS TO FORM:
RUTAN & TUCKER, LLP.

ORANGE COUNTY WATER DISTRICT,
a political subdivision of the State of California
organized under Chapter 924 of the Statutes of
1933, as amended

By: _____
General Counsel for
Orange County Water District

By: _____
Vicente Sarmiento, President

By: _____
Michael R. Markus P.E., General Manager

“LESSEE”

PRADO BASIN DUCK CLUB,
a California corporation

By: _____
John Kelly Astor, President

AGENDA ITEM SUBMITTAL

Meeting Date: May 22, 2020

To: Property Management Committee
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: N/A

Budgeted Amount: N/A

Revenue Estimate: N/A

Funding Source: N/A

Program/ Line Item No. N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

**SUBJECT: STATUS UPDATE REGARDING ANAHEIM ADVENTURE PARK, LLC
(AQUAPARK) AT MIRALOMA BASIN**

SUMMARY

Anaheim Adventure Park, LLC (Aquapark) has a lease with the District to develop and operate an Aquapark at the District's Miraloma Basin in Anaheim. Aquapark's president, Mr. David Wabiszewski will provide an update to the Committee.

Attachment(s): None

RECOMMENDATION

Informational.

DISCUSSION/ANALYSIS

At its December 18, 2019 meeting, the Board authorized execution of a Lease Agreement with Anaheim Adventure Park, LLC to develop and operate an Aquapark at the District's Miraloma Basin in Anaheim. The Aquapark's president, David Wabiszewski, will provide an update to the Committee as to the status of the Aquapark.

PRIOR RELEVANT BOARD ACTION(S)

12/18/2019 RCS19-12-1 – Authorizing execution of Lease Agreement with Anaheim Adventure Park, LLC

09/18/2019 R-19-8 Authorizing Amendment One to Exclusive Due Diligence Agreement extending the term for 180 days to a new end date of March 6, 2020.

03/6/2019 R19-3-30 – Authorizing execution of exclusive due diligence agreement for a cable-tow recreational wakeboarding facility at Miraloma Basin

LOCATION MAP



Printed by KOCWID Property, COPIED TO GIS by Steve WOOD on 08/08/2011

AGENDA ITEM SUBMITTAL

Meeting Date: May 22, 2020

To: Property Management Committee/
Board of Directors

From: Mike Markus

Staff Contact: B. Dosier/D. Park

Budgeted: N/A

Budget Amount: N/A

Cost Estimate: N/A

Funding Source: N/A

Program/Line Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

**Subject: QUARTERLY REPORT ON LEASES AND PERMITS/LICENSES FOR
THE PERIOD ENDING MARCH 31, 2020**

SUMMARY

Attached for Board review is the Quarterly Report on Leases and Permits/Licenses for the period of January 1, 2020 to March 31, 2020.

Attachment(s): Summary Report of Leases & Permits/Licenses ending March 31, 2020

RECOMMENDATION

Informational

BACKGROUND/ANALYSIS

The District has approximately 1,161 acres of land under 17 leases and 29 permits/licenses.

1st QUARTER RENT COMPARISON

1st Qtr. 2020	1st Qtr. 2019	Increase/(Decrease) 1st Qtr. 2020 vs. 1st Qtr. 2019	Percentage Increase/(Decrease) 1st Qtr. 2020 vs. 1st Qtr. 2019
\$361,277	\$374,237	(\$12,960)	(3.5%)

YEAR TO DATE RENT COMPARISON

Year to Date 2020	Year to Date 2019	Increase/(Decrease) YTD 2020 compared to 2019	Percentage Increase/(Decrease) YTD 2020 compared to 2019
\$361,277	\$374,237	(\$12,960)	(3.5%)

Note: The January 2020 rents for the Raahauge Shooting Enterprises (\$17,502) and Sunny Slope Tree Farm (\$4,223) were paid in December 2019 and not applied to the 2020 1st quarter report. Additionally, Sandwood Inc. (Rent - \$11,176) is currently past due on their rent. As a result, the report shows a year over year decrease of \$12,960.

UPCOMING RENEWALS AND ACTIONS

RENEWALS

2020

2nd Quarter

- Lease with Prado Basin Duck Club expires on June 30, 2020
- Lease with Raahauge Shooting Enterprises, Duck Hunting Lease, expires on June 30, 2020

Staff will renegotiate the lease extensions with the above Lessees and return to committee

3rd Quarter

- Lease with Raahauge Shooting Enterprises, Pheasant Lease, expires on September 30, 2019

ACTIONS - Staff

All Lessees and Permittees/Licensees are in full compliance with the terms of their lease/permit/license and all are current with their rent with the following exceptions:

- Sandwood Inc. is two (2) months behind on their rent (February and March 2020). A notice has been issued by the District Accounting Department.

PROPERTY LICENSE AGREEMENT ISSUED BY GENERAL MANAGER IN 2020 YEAR-TO-DATE

1. January 16, 2019 - T.E. Roberts, Inc.: Amendment five to the License for the ongoing use of District property (Huckleberry Basin) to store equipment on an annual basis. The License expired January 31, 2020, and the Board extended the expiration date to January 31, 2021, with a license fee of \$500 per month.
2. March 16, 2020 - T.E. Roberts, Inc.: License Agreement for the use of a staging area for Licensee's equipment and materials on District property (Santiago Basin). The expiration date is May 15, 2020, with a one-time license fee of \$1,148.

**SUMMARY REPORT
STATUS OF LEASES
1ST QUARTER ENDED MARCH 31, 2020**

Leases	Location	Monthly Rent	Annual Increase	1st Quarter Rent Paid	Year to Date	Status of Rent	Lease Violations	Expiration Date	Acres	Use
Anaheim, City of Well 58	Anaheim Lake	Flat Fee \$1.00		N/A	N/A	Current	None	03-31-61	0.380	Production Water Well
Anaheim, City of	Burris Basin	\$1.00/Annual		\$ 1.00	\$ 1.00	Current	None	01-31-31	14.000	Park
County of Orange, Integrated Waste Mgt.	Smith Basin	Reports		N/A	N/A	Current	None	Automatic Annual Renewal	0.010	Monitoring wells for Reeve's Pit (executed 12/12/1996)
Corona Rec. Inc., Doug Elliott	Warner Basin	5% of Gross Receipts or \$6,817.29/mo.	CPI October	\$ 35,546.00	\$ 35,546.00	Current	None	09-30-21	128.150	Fishing concession.
Corona Rec. Inc., Doug Elliott	Anaheim Lake	\$668.24 for house	CPI October	\$ 2,004.72	\$ 2,004.72	Current	None	09-30-21	90.700	Alternate lake rental of house of office space.
North American Recycling & Crushing, LLC	Huckleberry Pond	\$68,209.69	3% April 1	\$ 206,675.36	\$ 206,675.36	Current	None	03-31-27	5.650	Concrete/Asphalt crushing.
Gentry Golf, Inc.	Burris Pit	\$9,507.59	CPI October	\$ 28,522.77	\$ 28,522.77	Current	None	09-30-22	15.000	Golf driving range - 5 year option.
Harvest Landscape Enterprises, Inc.	South of Lincoln Ave.	\$1,836.00	CPI April 1	\$ 3,672.00	\$ 3,672.00	Current	None	03-31-22	3.600	Container nursery.
Montoya Enterprises Inc. - Nursery	Santiago Basins	\$1,487.00	Fixed April 1	\$ 4,461.00	\$ 4,461.00	Current	None	03-31-24	2.600	Container nursery.
Newport Beach, City of	Seawater Pipeline	Flat Fee \$1		\$ -	\$ -	Current	None	10-01-21		
Prado Basin Duck Club (1)	Prado Basin - Lower Ponds	16,847.00	3% July 1	\$ -	\$ -	Current	None	06-30-20	66.000	John Kelly Astor - Duck Hunting Concession
Raahauge Shooting Enterprises - Range (4)	Prado	\$17,502.14	CPI May	\$ 35,004.28	\$ 35,004.28	Current	None	04-30-47	135.000	Sporting clays/trap & skeet shooting. No rent increase until May 1, 2019
Raahauge Shooting Enterprises - Ducks (1)	Prado	Flat Fee \$74,768	5% July 1	\$ -	\$ -	Current	None	06-30-20	450.000	Duck hunting, Oct. to Jan.
Raahauge Shooting Enterprises - Pheasant	Prado	\$250/mo.	N/A	\$ 500.00	\$ 500.00	Current	None	9/30/2020	110.000	Hunter safety classes, dog kennels, raising of game birds.
Sandwood Inc. (3)	Batavia Street	\$11,176.00	CPI April 1	\$ 23,054.92	\$ 23,054.92	Not Current	None	03-31-22	2.600	Sandbagging/Firewood
Sunny Slope Tree Farm Co.	Imperial Highway	\$4,222.87	CPI Aug 1	\$ 8,445.74	\$ 8,445.74	Current	None	Mo. to Mo.	19.000	Container nursery.
Yorba Linda Water District (2)	Warner Basin	\$4,694.43 / year 2019	3% December	\$ 4,694.43	\$ 4,694.43	Current	None	12-31-62	0.4224	Production Water Well 21 Original Rent: \$3,817 - 8/22/2012 - w/ 3% annual increase
TOTAL FOR LEASES				\$ 352,582.22	\$ 352,582.22				1,043.112	

NOTES:

1. Prado Basin Duck Hunting & Raahauge Duck Hunting - (Rent due 50% by October 15 and 50% by December 15).
2. YLWD rent due on Dec. 31 of each year.
3. Sandwood, Inc. renewed lease.
4. Raahauge rent not to be increased until May 1, 2019

**SUMMARY REPORT
STATUS OF PERMITS/LICENSES
1ST QUARTER ENDED MARCH 31, 2020**

Permits/Licenses	Location	Monthly Rent	Annual Increase	1st Quarter Rent Paid	Year to Date	Status of Rent	Permit/License Violations	Expiration Date	Acres	Use
Anaheim Model Airplane Club & Scamps	Foster-Huckleberry Pond	Comm. Svc.		N/A	N/A	Current	None	Mo. to Mo.	115.820	Model airplane flying area.
Anaheim, City of Well Maintenance	Anaheim Lake	Comm. Svc.		N/A	N/A	Current	None	Mo. to Mo.	0.230	Maintain wells and pipeline.
Anaheim, City of	Burriss Basin	N/A		N/A	N/A	Current	None	Year to Year		Pumphouse
Anaheim, City of	Anaheim Lake	Flat Fee \$1,000		\$ -	\$ -	Current	None	09-30-61		Drain pipe Rio Vista Res.
Anaheim, City of	Alderdale Ave/Maychelle Dr.	One Time Easement Fee \$1,510		\$ -	\$ -	Current	None	N/A		12" Transmission water main pipeline - Sept 2016
Anaheim, City of	Access at Tustin Ave	Flat Fee \$1,148		\$ 1,148.00	\$ 1,148.00			10/15/2044		
Anaheim, City of	Storm drain at Huckleberry Basin	Flat Fee \$1,148		\$ 1,148.00	\$ 1,148.00					
Boy Scouts of America, Troop 850	Santiago Bond Basin	Clean Premises		\$ -	\$ -			Mo. to Mo.		Store 2 container trailers
CA Dept. of Forestry & Fire Protection	Prado - Highway 71	Fire Protection		N/A	N/A	Current	None	Mo. to Mo.		Cut fire break along fence - Highway 71.
Inland Empire Utility District	Prado Basin	WQ Report		N/A	N/A	Current	None	03-31-34		Monitoring well site
Andre Bello/Dan DeBusschere	Prado - Highway 71	Flat Fee \$1,148		\$ -	\$ -	Current	None	06-30-22		Access Permit / Fee increased from \$550 to \$1,148.
Robert & Debra Peterson	Prado - Highway 71	Flat Fee \$1,148		\$ -	\$ -	Current	None	06-30-22		Access Permit / Fee increased from \$550 to \$1,148.
Orange, City of	Orange Reservoir No. 10	N/A		N/A	N/A	Current	None	05-31-34		Antenna on Reservoir No. 10
OC Transportation Authority (OCTA)	Deep Well #5	N/A		\$ -	\$ -					Temporary construction easement for the District's Deep Well #5 property located on the east side of Pacific Street at Spencer Ave in Fountain Valley
Riverside County Flood Control District	Prado Basin	Copy of Reports		N/A	N/A	Current	None	05-31-20		Collect water/insect samples
SAWA	Prado Basin	Project Cost		N/A	N/A	Current	None	12/31/2023		Arundo Removal.
SCE & (formerly Royal Street Communications) T-Mobile (ATS) (1)	Riverdale Avenue, Orange	\$968.96 + CPI Annual	CPI November 1	\$ 2,994.09	\$ 2,994.09	Current	None	11-13-22		Cellular Comm. Relay Site
Southern California Edison Co. (2)	Anaheim Lake	\$672.03 + CPI Annual		\$ 756.37	\$ 756.37	Current	None	02-28-38		ATS contract renews with T-Mobile's renewal
Serrano Irrigation District	Santiago Basin	Conj. well site #4		N/A	N/A	Current	None	Annual Renewal	0.220	Conjunctive use well. R90-10-210 / orig exp: 7-1-10
T.E. Roberts	Huckleberry Basin	\$500/mo		\$ 1,500.00	\$ 1,500.00	Current	None	1/31/2020		Staging area for City of Anaheim Pipeline work
T.E. Roberts	Santiago Basin	Flat Fee \$1,148		\$ 1,148.00	\$ 1,148.00			5/15/2020		Temporary License Agreement
University of So. Calif.	Fullerton Airport/ Other Locations	N/A		N/A	N/A	Current	None	Mo. to Mo.		Measure seismic activity in monitoring wells.
University of Calif., Riverside	Prado Basin	Reports		N/A	N/A	Current	None	06-30-19		Mosquito Study
Ultra Systems Inc.	Prado Basin	Flat Fee \$1,148.00		N/A	N/A	Current	None	06-30-19		Access to Basin
US Geological Survey	Prado Basin	Train OCWD staff on Shake Alert Sys.		N/A	N/A	Current	None	06-29-2020		Seismic Monitoring
Verizon (AirTouch Cellular)	Santa Ana River	Flat Fee \$2,000		N/A	N/A	Current	None	06-30-18		Fiber Optics Cable - Tustin Ave.
Water Replenishment District of S. C.	Leisure World, Seal Beach	Copy of Reports		N/A	N/A	Current	None	08-31-19		Access to water wells to take samples.
Western Riverside Co. Regional Wastewater	Prado Basin	Copy of Reports		N/A	N/A	Current	None	6-30-46		Monitoring wells - 3
Yorba Linda Water District	Warner Basin Complex	Flat Fee \$550.00		N/A	N/A	Current	None	12-31-60		Discharge from well water 20.
TOTAL FOR PERMITS/LICENSES				\$ 8,694.46	\$ 8,694.46				116.270	
TOTAL FOR LEASES & PERMITS/LICENSES				\$ 361,276.68	\$ 361,276.68				1,159.382	

NOTES:

1. Monthly Rent is 70% of \$1,266.77 which is adjusted by the CPI annually
2. SCE License Fee due on March 1 of each year.