

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD NOVEMBER 8, 2011**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on November 8, 2011. Meeting was called to order at 5:00 p.m. by Board President Jeff Neely.

DIRECTORS PRESENT

President Jeff Neely
Vice President Ryan Jacobsen
Steven Balls
George Porter
Jerry Rebensdorf

DIRECTORS ABSENT

None

STAFF PRESENT

General Manager Gary Serrato
Assistant General Manager Laurence Kimura
Chief Engineer Bill Stretch
Watermaster Jim Irwin
Human Resources Director Regina Davis
Assistant Human Resources Director September Singh
Controller DeAnn Hailey
Recording Secretary Lynn B. Rowe

OTHERS PRESENT

District's Labor Relations Council Kevin Dale

REVIEW AGENDA

Mr. Serrato requested that the meeting go into Closed Session at 6 p.m. to meet with the Labor Attorney and Staff concerning a personnel matter.

REVIEW OF FUTURE MEETINGS

The November 22 Board Meeting will be held as scheduled. Mr. Serrato will be bringing the Board up-to-date on the Strategic Plan during this meeting.

PUBLIC PRESENTATIONS

None scheduled.

POTENTIAL CONFLICTS OF INTEREST

(Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.) [FPPC §87105]

None stated.

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CONSENT CALENDAR

- a. **Approval of Regular Board Meeting Minutes – October 11, 2011**
- b. **October 2011 Check Register**
- c. **October 2011 Payroll Registers**
- d. **October 2011 Unpaid Assessment Report**
- e. **October 2011 Unpaid ISIP Assessment Report**
- f. **October 2011 Investment Account**

M/S/C/(Balls/Porter) That the Board of Directors approved the Consent Calendar by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CONTROLLER'S REPORT

The following financial reports were presented:

- a. **September 2011 Fund Statements**
- b. **September 2011 Notes to the Fund Statements**
- c. **September 2011 Treasurer's Report**
- d. **September 2011 Deposits and Investments**

The insurance company's report on the Limbaugh house fire has been completed and may be presented at the November 22 meeting. The September financial reports are in-line with the revised budget.

M/S/C/(Balls/Rebinsdorf) That the Board of Directors approved the Financial Reports as presented by Staff by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

380: WATER REPORT

- a. **Current Water Conditions**

Watermaster Jim Irwin reported on the current and projected water supply information. As of November 7, Pine Flat release was 1,768 cfs with storage at 541,605 acre-feet. FID storage is 98,468 acre-feet. Precipitation at Pine Flat is 215.2% of normal for this time of year.

Reports are calling for a chance of rain during the weekend with another storm predicted for November 21. Staff is slowly reducing the water in the canals with a complete shutdown scheduled for Friday, November 11. Staff has predicted that there will be 95,000 acre-feet of carry-over water.

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CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

a. Developer and Agency Project Schedule Update for 2011-2012

Developer Projects – there are no current Developer Projects taking place at this time.

Agency Projects – there are no current Agency Projects taking place at this time. Numerous utility crossings that will impact the District's facilities will begin construction as soon as the canals have been drained.

City of Fresno's Temporary SWTF – Improvements to the Jefferson and Gunn Canals

Staff was able to resolve an issue with PG&E which will allow FID to proceed with the project. It will be another three to four months before the sites can be energized.

b. FID Projects Update for 2011-12

Flowmeters

Fresno Colony and American Colony – The Fresno Colony portion of the project has been completed and the American Colony is expected to finish up within the next few weeks.

AB 303 – Six meters remain to be installed which will be worked on during the maintenance season.

Basins

Herndon West Basin – This project has been put on hold until the 2012/2013 maintenance/construction season. Staff is in discussions with an adjacent landowner about leasing the property for a winter grain crop.

Boswell Groundwater Banking Facility – The contractor on the Well Equipping contract has started construction and is expected to finish by December.

Oleander Basin – Agee Construction is expected to start the construction on November 14.

Nordstrom Pond – A consultant is in the process of surveying the property for the easements and alignment.

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FID Miscellaneous Projects

Briggs Improvements – The plans and specifications have been completed. The job has gone out to bid and a mandatory walk through was conducted on Monday, November 7. Bids will be opened on November 16.

Landowner Pipeline Projects

Empire Pipeline - Staff continues to work on the plans with the intention of going out to bid in January 2012.

c. High Speed Rail Update – Informational Item 2011-20

Staff reviewed, with the Board, the High Speed Rail Authority's (HSRA) timeline up to January 2013 when construction is expected to begin. Meetings between the District and the HSRA occur about every two weeks. The first section to be constructed will be from Herndon Avenue to the downtown Fresno train station. The cost has been increased from \$43 to \$98 billion for the main north-south link.

d. Present New Policy 108 – Landowner(s) Initiated Projects. Action Request No. 2011-19

During the last ten years, the District has not installed any cast-in-place pipelines due to budget restraints, maintenance concerns, and limited interested from landowners and Staff. The engineering department feels it is time to update the District's current position. Staff is recommending that Policies 102 and 102.1 be rescinded and that Policy 108 take their place.

M/S/C/(Balls/Jacobsen) That the Board of Directors approved to adopt Policy 108 and rescind Policies 102 and 102.1 by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

Open Session was recessed at 5:46 p.m.

CLOSED SESSION

Directors and some senior Staff went into Closed Session at 5:54 p.m.

Natural Resource Defense Council vs. Rodgers (Government Code Section 54956.9). To confer with counsel on pending litigation.

Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): Nielsen Avenue Property.

Government Code Section 54956.7. Conference with Labor Negotiators Regarding Terms and Conditions of Employment with Represented Bargaining Groups.

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Conference with Legal Counsel–Anticipated Litigation (Government Code Section 54956.9(b)). Conference with Legal Counsel – Anticipated Litigation (G.C. §54956.9. Significant Exposure to Litigation pursuant to subdivision (b)): Applegate Johnston, Inc.

Government Code Section 54957. Personnel Matters.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID

Properties: APN 340-160-45

Terms and Conditions: Agreement for Sale of Real Property

Closed Session concluded at 8:45 p.m. with Open Session resuming at 8:46 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Neely reported the results of the bids received for the sale of the FID Lincoln/Chestnut property. Mr. Rajvir Singh Kular submitted the highest bid in amount of \$205,000.

M/S/C/(Jacobsen/Balls) That the Board of Directors approved to accept the bid submitted by Mr. Rajvir Singh Kular in the amount of \$205,000 for the 17.3 acres located on Lincoln Avenue, to resolve the end post and grape stakes issue with Mr. Homes, and directed Staff to proceed with the opening of escrow by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

There was no other reportable action.

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

There has been no change in the status of this project.

b. District Office Plan

This was a Closed Session item.

c. General Maintenance and Equipment Update

The Maintenance Report covering August 16, 2011, through October 15, 2011, was handed out. The District will be going into the maintenance/construction season within a week.

d. Equipment Committee Recommendations

Mr. Kimura reported to the Board the discussion that occurred during the Equipment Committee Meeting held prior to the regular Board Meeting. Staff reviewed the submitted equipment / vehicle bids and gave recommendations for the contracts to be

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awarded. Staff also recommends purchasing six new computers (without monitors). Computer rotation is being extended from three years to four years.

M/S/C/(Porter/Balls) That the Board of Directors approved Staff's recommendation on the purchase of equipment / vehicles and computers with the money to come from the Power Revenue Fund by unanimous vote. (Ayes, 5; Nays 0; Absent 0; Abstain 0)

Three pick-ups are scheduled to go to auction.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

Water Transfer

The 10,000 acre-feet of water that was scheduled to be transferred from Fresno Irrigation District to Consolidated Irrigation District has occurred. Water will be returned to Fresno Irrigation District at a rate of one acre-foot for every two that was banked with no definite return time set.

External Issues

The External Issues Committee continues to explore different options in addressing groundwater recharge, banking, and transfers.

FRIANT WATER AUTHORITY

Carryover Policy

Friant has developed a "Carryover Policy" for the 2011-2012 year. It is estimated that 60,000 acre-feet will be carried over into 2012. With this amount of carryover, there is a very good chance of a flood release occurring at the end of December or first part of January.

Water Sale Recapture / Recirculation

Staff was given direction to sell the District's portion of water stored in the San Luis Reservoir. A group of west side water districts in Kern County agreed to purchase the 1,823 acre-feet.

San Joaquin River Restoration Interim Flows

Mr. Serrato reviewed the upcoming interim flow schedule for the 2011-12 water years. Interim Flows will cease from November 15 to January 1 due to construction on the Mendota Dam.

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ADMINISTRATIVE MATTERS

- a. **Re-Districting Update (Special Elections Counsel Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP)**

Mr. Serrato reviewed the three companies that submitted bids to perform boundary adjustments services for the District's five divisions. Staff is recommending the hiring of National Demographic Corporation (NDC) to provide the demographics. NDC was the lowest bidder and will be required to attend a future board meeting and present a minimum of two proposals.

M/S/C/(Rebendsord/Balls) That the Board of Directors approved Resolution 2011-16 to hire National Demographic Corporation to perform the redistricting services for the District by the following roll call vote. (Ayes, Rebendsord, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

- b. **Resolution 2011-13: Resolution for the Acceptance of Property from State of California – Orange Avenue at Goldenstate Boulevard**

The State has offered 0.10 acre of property located at Orange Avenue and Goldenstate Boulevard to the District at no cost. Staff has investigated the property and believes it will be a benefit to the District. Staff recommends accepting the property as outlined in Resolution 2011-13.

M/S/C/(Balls/Porter) That the Board of Directors approved adopting Resolution 2011-13 by the following roll call vote. (Ayes, Rebendsord, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

- c. **Resolution 2011-14: Safe Harbor Plan**

Ms. Davis reviewed the Safe Harbor Plan with the Board and asked that it be renewed for one year. Staff recommends accepting Resolution 2011-14.

M/S/C/(Balls/Porter) That the Board of Directors approved adopting Resolution 2011-14 by the following roll call vote. (Ayes, Rebendsord, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

- d. **Resolution 2011-15: Conflict of Interest Code for Fresno Irrigation District**

The District is required by law to have in place a Conflict of Interest Code which will stay in effect until modifications to the law or there is a change in the District's designated employees.

M/S/C/(Porter/Balls) That the Board of Directors approved adopting Resolution 2011-15 by the following roll call vote. (Ayes, Rebendsord, Balls, Neely, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

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DIRECTORS' REPORT

No Directors report

ADJOURNMENT

President Neely adjourned the meeting at 9:20 pm.

Submitted By,



Gary R. Serrato
Secretary of the Board