

**FRESNO IRRIGATION DISTRICT
MINUTES OF THE REGULAR MEETING
HELD SEPTEMBER 14, 2010**

Fresno Irrigation District's Board of Directors met in regular session in the District office located at 2907 South Maple Avenue – Fresno, California, on September 14, 2010. Meeting was called to order at 5:02 pm by Board President Jeff Boswell.

DIRECTORS PRESENT

President Jeff Boswell
Vice President Jeff Neely
Steven Balls
Ryan Jacobsen
George Porter

DIRECTORS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

None

REVIEW AGENDA

At the request of the Landowner, Item 8 a. will be rescheduled for the September 28 Board Meeting

REVIEW OF FUTURE MEETINGS

Director Boswell announced that he will not be at the September 28 meeting

PUBLIC PRESENTATION

None

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 – August 24, 2010**
- b. **August 2010 Check Register**
- c. **August 2010 Payroll Registers**
- d. **August 2010 Unpaid Assessment Report**
- e. **August 2010 Unpaid ISIP Assessment Report**
- f. **August 2010 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)

380: WATER REPORT

a. **Current Water Conditions**

Watermaster Jim Irwin reported on the current and projected water supply information. As of September 13, Pine Flat release was 2,141 cfs, and storage was 404,914 acre-feet. Water supply outlook continues to support the delivery of water through the end of October. Temperatures are expected to be normal for this time of year through the next ten days.

b. **Potential Water Sales**

Staff suggested selling 5,271 acre-feet of the recovery account water to Kings County Water District at \$58 per acre-foot and allocate the money to the construction fund for the completion of the new office building.

M/S/C/(Jacobsen/Neely) That the Board of Directors approved the sale of water to Kings County Water District at \$58 per acre-foot. Funds would be allocated for the completion of the new building construction by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CONTROLLER'S REPORT

The Controller reported on the following:

a. **Financial Allocations (Finance Committee Discussions) walk-in**

Gary Serrato and DeAnn Hailey reviewed topics discussed during the Financial Committee meeting held on September 9, 2010. Financial Committee members were Director Balls and Director Jacobsen. Topics included: 9 (d) Contract Repayment; Other Post Employment Benefits (OPEB); State; Legislation SBX 7-7; Basin Improvement and Completion financing (Bank Line of Credit).

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Staff made the following recommendations for Board approval:

- 1) Fund the remaining \$1.3 million required for the capital repayment of the Central Valley Project required for 9 (d) contract conversions.
- 2) Establish a Other Post Employment Benefits Fund by developing a detailed investment policy to be adopted by the Board. Begin funding the account with \$500,000. FID General Manager, Assistant General Manager and Controller will be listed as the trustees for the OPEB account.
- 3) Hire a consultant to begin to identify the requirements of recently enacted State Legislation SBX 7-7 and to have the FID Attorney provide the District with a legal opinion of the legislation; \$50,000 for the Study and \$10,000 for the Legal Opinion. Funding for this to be derived from the General Fund.

M/S/C/(Balls/Porter) That the Board of Directors approved the Staff's recommendations on the following:

- a)** 9(d) Contract Repayment – funding to come from the recent water sales
- b)** Other Post Employment Benefits, funding to come from the recent water sales,
- c)** Begin the study on the implementation of SBX 7-7 Research - including the attorney's fees funding to come from the General Fund,
- d)** Development of a Line of Credit to bridge the financing shortfall on Basin Improvements and Briggs Canal improvements.
by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

CHIEF ENGINEER'S REPORT

Chief Engineer Bill Stretch reported on the following items:

- a. Discussion with Landowners Mr. and Mrs. Madrid Regarding Water Service off the Silvia Canal No. 47 – S/W Shaw and Bryan Avenues**

Mr. Stretch gave the Directors a recap of the Madrid's water service issue off the Silvia Canal No. 47. Mr. and Mrs. Madrid have requested to appear before the Board at the September 28 meeting.

- b. Developer and Agency Project Schedule for 2010-2011 Update**

Developer Projects – There are no Developer projects taking place at this time; however, Staff is processing two pipeline projects for the 2010-2011 Maintenance Season. Mr. Ray Skochko is in the final planning stage for piping 405 feet of the Lisenby Canal near Shaw Avenue and Golden State Boulevard.

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Agency Projects – There are no projects being worked on at this time. The City of Fresno is planning to construct a temporary surface water treatment plant located at Dakota and Temperance avenues. FID is currently soliciting bids for improvements to the Jefferson and Gunn Canal systems in preparation for deliveries to the temporary surface water treatment plant. Staff will present the bids and provide a recommendation at the September 28 BOD meeting. The City will reimburse the District for the majority of the improvements.

c. Three-Year Maintenance and Facility Upgrade Project for 2010-2011

- Pursell Pond is performing as expected.
- Staff waits for a response from the Bureau on the proposed sale of the southern portion of the Oleander Basin.
- Staff has submitted the CEQA Study on the Big Sandridge Basin to the Clearinghouse with the review period ending on September 20.

d. Award Contract – Earthwork and Structures Contract 176-1682-A as Part of the Jameson Basin Banking Facility Project. Action Request 2010-15

Jennifer Williams, Staff Engineer, reviewed the Jameson Groundwater Banking project with the Directors. The project consists of expanding the existing 36 acre regulation and recharge basin (Cell 1) to include a new 64 acre recharge basin (Cell 2) with three recovery wells. Staff reviewed the responses for the publicly advertised bid proposals for earthwork and structure construction contract. There were four bids from local contractors. Staff's recommendation is to award Emmett's Excavation as low bidder on the base amount. Emmett's Excavation bid with the additives came in at just over \$1.8 million. Staff will also look into the cost of having a trash rack installed at or near the pond to help alleviate the trash backup. Estimate retrieval is 3,000 acre-feet per year. The majority of the project will be funded by a State Water Resources Control Board grant and the City of Clovis.

M/S/C/(Porter/Balls) That the Board of Directors approved the project bid submitted by Emmett's Excavation at \$1,835,403 million, including additives, by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

ASSISTANT MANAGER'S REPORT

Assistant General Manager Laurence Kimura reported on the following:

a. Nielsen Site Rubble Pile Update

Staff is working with Fresno County Public Works Department to obtain access to the property. Details on the use of an on-site pump between the County and Mr. Erickson are being worked on.

b. Waldron Banking Facility

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The reclamation wells continue to operate to extract the 10 TAF this water season as authorized by the Directors.

c. District Office Plan

Work continues on the roofing, ducting, stucco preparation, and electrical. Some painting is taking place as well.

d. General Maintenance and Equipment Update

- Heavy equipment operators have completed work on the Central Canal;
- Repair crews continue to work on pipelines, liners, and gate repairs;
- Repairs to a gate on the West Perrin near Cornelia and Clayton avenues took place last week;
- Graffiti removal was performed at the Lambrecht Basin;
- Spraying is taking place as weather permits;
- Trash removal is taking place throughout the District.

MANAGER'S REPORT

General Manager Gary Serrato reported on the following:

KINGS RIVER WATER ASSOCIATION

The coordinated run for the Lower River is about complete with Lemoore Irrigation District and Peoples scheduled to terminate deliveries at the end of September.

FRIANT WATER USERS AUTHORITY / FRIANT WATER AUTHORITY

Bureau of Reclamation – Request for Scenarios

Water associated with the Request for Scenarios has been re-circulated back to the Friant districts. FID's Scenarios included exchanges with Westland Water District and Tulare Lake Basin Water Storage District.

OTHER

Upper Kings River Water Forum

The Upper Kings River Water Forum Board of Directors voted to accept the proposal submitted by the Provost & Pritchard Consulting Group at an estimated cost of \$250,000 to update the Integrated Regional Water Management Plan. Provost & Pritchard Consulting Group will be submitting an application to the Department of Water Resources for Proposition 84 funding to pay for the Plan update.

City of Clovis / FID Jameson Groundwater Banking Agreement

Staff is scheduling the first meeting with the City of Clovis to begin the development of the Jameson Groundwater Banking Agreement.

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Fresno Irrigation District / Consolidated Irrigation District Partnership

Staff met with staff from CID and Provost & Pritchard Consulting Group to review the draft study that was commissioned by both District Boards. CID Board will review the study at their October meeting.

Waterways Newsletter

Staff is working with Randy McFarland to produce the District's newsletter which is scheduled to be mailed in the next two weeks.

JPIA

JPIA performed a safety inspection and found the District to be well in compliance.

Del Mar Bridge Project

The proposed bridge to be built near the Del Mar School (Blackstone and Shields area) is now scheduled for construction. The project was previously halted due to financial issues within the City of Fresno.

ADMINISTRATIVE MATTERS

a. Property Claim – Greg Pierce

Mr. Pierce claims that a hole in the backyard of his family's rental house was dug by a District employee utilizing a backhoe. Staff researched the claim and also went out and surveyed the backyard. Staff determined that our equipment and employees did not dig the hole. Staff's recommendation is to deny the claim.

M/S/C/(Balls/Jacobsen) That the Board of Directors denied the claim submitted by Greg Pierce by unanimous vote. (Ayes Neely, Balls, Boswell, Jacobsen; Nays 0; Absent Porter; Abstain 0)

b. Resolution 2010-14 Honoring Kathy Millison – City Manager for the City of Clovis

Staff would like to present Ms. Millison with a plaque on behalf of the District recognizing her dedicated service to the City of Clovis. It is Staff's recommendation to pass Resolution 2010-14.

M/S/C/(Jacobsen/Neely) That the Board of Directors approved the passing of Resolution 2010-14 Honoring Kathy Millison by the following roll call vote. (Ayes Neely, Balls, Boswell, Porter, Jacobsen; Nays 0; Absent 0; Abstain 0)

c. Request for Overnight Stay for Watermaster to Attend the 56th Annual California Cooperative Snow Surveys Program – Bishop, CA October 13-15, 2010

Staff requests authorization for overnight stay for three nights for the Watermaster to attend the 56 Annual Snow Survey Program to be held in Bishop, CA.

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M/S/C/(Neely/Balls) That the Board of Directors approved the three-night stay for the Watermaster to attend the Snow Surveys Program by unanimous vote. (Ayes 5; Nays 0; Absent 0; Abstain 0)

DIRECTORS' REPORT

Director Boswell – commended Staff for sound financial planning of the 9(d) Contract Repayment.

CLOSED SESSION

The Board went into Closed Session at 7:20 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

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)): County Service Area 51.

Government Code Section 54956.8 Real Property Transactions.

Negotiators: Gary R. Serrato, FID and River Cross, Inc.

Properties: APN 015-330-15S

Terms and Conditions: Agreement for Purchase and Sale of Real Property and Escrow Instructions

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)): Mendrin Property Claim

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Boswell stated there was nothing to report from Closed Session. Closed Session concluded at 7:40 p.m.

ADJOURNMENT

President Boswell adjourned the meeting at 7:43 p.m.

Submitted By,

Gary R. Serrato
Secretary of the Board